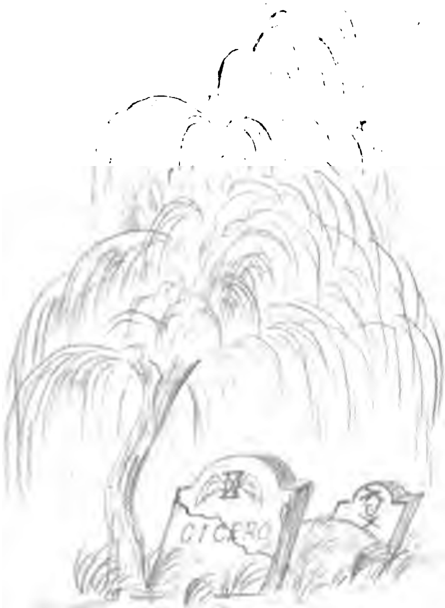
E. D. Harris
Cambridge Mass

English Slang Translation of the [illegible]
found on Page 31.

[illegible]

"You'll find out who I am [illegible]
are happier first [illegible]
and not a child and [illegible]
you stick your [illegible]
all your [illegible]
[illegible] get all the [illegible]
you no [illegible]
all [illegible]
what [illegible]"

Εδουάρδος Δ. Χάρρις



"Peace to the patriot's shade!
Let no rude blast disturb the willow
that nods o'er his tomb:
Let orphan tears bedew his sacred urn,
And Fame's loud trump proclaim the hero's
name
Far as the circuit of the world extends."

Daniel Webster"

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PREFACE.

THIS volume of Select Orations of Cicero is intended to form one of the series of Classical Books published by the Messrs. Appleton, and was prepared at their request. After the purpose was formed to issue such a volume, there appeared in England, edited by T. K. Arnold, a small volume containing the fourth book of the impeachment of Verres, the four speeches against Catiline, and the speech for the poet Archias. It was the desire of the publishers that that volume should be made the basis of their edition, and accordingly, so far as it coincided with the selection usually read in the preparatory schools of our country, it has been incorporated in the present work. The Verrine oration, which is given in the English edition, has been omitted in the present, as it is the intention of the editor to issue it in some other form.

The present volume will be found to contain those orations, which in this country usually go under the name of select orations. They are the same, and given in the same order as in the Boston edition, with the exception of the second Philippic, which is omitted in the present volume.

The editions of Cicero's select Orations, which are in most general use in this country, are the Boston edition just referred to, by Charles Folsom, and Professor Anthon's edition published by Harper & Brothers. These volumes are so well known that it is needless to speak of them in detail. Those, however, who are acquainted with them, and with the progress which

has been made since their appearance in the careful collation and correct deciphering of the best MSS. of Cicero's writings, will be ready to admit, without hesitation, that if nothing more should be attempted, a new and improved text was called for. The labors of Orelli, Madvig, Klotz, and others, have not been without important results for the text of Cicero, and no one will deny that these results are of primary importance to beginners in the study of the classics. The editor felt therefore that he would render an essential service to the cause of accurate scholarship, if he did nothing more than furnish a text as correct as possible. It was not his plan, however, to present a text which should be made up of several others, however good, and correspond entirely with no one. He was convinced that it would more certainly meet the views of scholars and teachers, if he should select the text which might be considered on the whole the best for his object, and give a careful and exact reprint of that. He has accordingly intended in this edition to give the text of Orelli, as revised by him subsequently to his edition of the entire works of Cicero, and published in a volume containing fifteen orations. This remark refers to all the orations given in this volume, except those for Marcellus and for Milo, which are not found in Orelli's revision. The text of the Milo is a reprint of that of Madvig; and of the Marcellus, of that of Klotz. The principal variations, in the most recent editions, from the text, which has been in either case adopted, are noticed in the notes. This has been done often with what may at first sight appear unnecessary minuteness, but the editor is convinced that a teacher may make use of various readings to the advantage of the pupil, even at this stage of his progress.

The notes have been collected freely from any sources which were within the editor's reach. It will readily appear to those who are acquainted with the subject that they have been largely drawn from the productions of German scholarship. Those which were given in Arnold's edition are here retained in full.

They were there credited, in many cases by initials, to Orelli, Klotz, Bloch, Matthiæ, and Stürenburg, with the remark, that those without an initial letter appended are generally from Matthiæ. It would have been agreeable to the editor's views and feelings to give credit in connection with each note to the source or sources from which it was taken, but this was inconvenient, and seemed hardly necessary in a work of this kind. It is his pleasure however here, as well as his duty, fully and distinctly to acknowledge and specify the authorities which he has so freely and as he hopes profitably used in compiling the notes to this edition.

Of editions by English or American scholars, besides those already mentioned, the editor has had before him Valpy's and M'Kay's; from the latter of which he has taken many notes, especially on the later orations. But, as already remarked, German scholars have furnished him the most abundant aid; and besides the editions of Möbius and Crusius, Matthiæ, Süpfle, Schultz, Steinmetz, Klotz, Madvig, Orelli, which contain all or nearly all the orations given in this volume, the editor has made use of several special editions of most of the orations selected. They are, for the orations against Catiline, Benecke's, Holzapfel's, and Morgenstern's, from the first mentioned of which he has derived much assistance. On the oration for the Manilian law, he has been largely indebted also to Benecke's separate edition of this oration. The recent edition of the same oration by Halm was not received till after the notes to this oration had been stereotyped; and while the editor regrets that he could not make use of Halm's labors, he has been gratified to find that the uses made by him of his resources in so many instances correspond with the results arrived at by the German editor. As neither the revision of Orelli nor the edition of Madvig contained the oration for Marcellus, the text of Klotz was chosen, and the special edition of Wolf, with the essays of Hug and Jacob on the genuineness of this oration, consulted. Again, Benecke's edition of the three

orations next in order for Ligarius, Deiotarus, and Archias was of great service in regard to them. Besides this, Soldan's separate editions of the orations for Ligarius and Deiotarus, and the two editions of Stürenburg of the oration for Archias, contributed greatly to aid the editor in his task. At this point also the editor received the edition by Schmitz and Zumpt, which has just been republished in this country. In regard to the oration for Milo, the editor, in leaving Orelli's text, did not hesitate to follow Madvig, whose principles of criticism mainly harmonize with those of Orelli. For assistance in this oration the editor is greatly indebted to the special edition of Osenbrüggen. He has also consulted the edition with Garatoni's notes, published separately by Orelli.

Besides the editions above specified, to which the editor would be glad to indicate his indebtedness more minutely than it is in his power to do here, he has also made use of programmes and journals, and works on antiquities and on style, as well as various Latin grammars, and remarks of scholars in editions of the classics generally, which came under his notice. The references to Zumpt's Latin Grammar will be found particularly frequent.

With this statement of the design of this edition, and of the sources from which it has been compiled, the editor offers it to the public, in the hope that it may be found useful in its place by the side of others' labors in the same field, in promoting the interests of true and accurate scholarship.

NEW YORK UNIVERSITY, *July*, 1850.

Edouardos Δ. Charris

IN

L. CATILINAM

ORATIO PRIMA

—HABITA IN SENATU.—

I. 1. Quousque tandem abutere, Catilina, patientia nostra? Quamdiu etiam furor iste tuus [nos] eludet? Quem ad finem sese effrenata jactabit audacia? Nihilne te nocturnum præsidium Palatii, nihil urbis vigiliæ, nihil timor populi, nihil concursus bonorum omnium, nihil hic 5 munitissimus habendi senatus locus, nihil horum ora vultusque moverunt? Patere tua consilia non sentis? Constrictam jam horum omnium conscientia teneri conjurationem tuam non vides? Quid proxima, quid superiore nocte egeris, ubi fueris, quos convocaveris, quid consilii ceperis, 10 quem nostrum ignorare arbitraris? 2. O tempora! O mores! Senatus hæc intelligit, consul videt: hic tamen vivit. Vivit? Immo vero etiam in senatum venit: fit publici consilii particeps: notat et designat oculis ad cædem unum-quemque nostrum. Nos autem, viri fortes, satisfa- 15 cere rei-publicæ videmur, si istius furorem ac tela vitemus. Ad mortem te, Catilina, duci jussu consulis jampridem oportebat; in te conferri pestem istam, quam tu in nos omnes jamdiu machinaris. 3. An vero vir amplissimus, P. Scipio, pontifex maximus, Ti. Gracchum mediocriter labe- 20 factantem statum rei-publicæ privatus interfecit: Catilinam orbem terræ cæde atque incendiis vastare cupientem, nos consules perferemus? Nam illa nimis antiqua prætereo, quod C. Servilius Ahala Sp. Mælium, novis rebus studentem, manu sua occidit. Fuit, fuit ista quondam in hac re 25 publica virtus, ut viri fortes acrioribus suppliciis civem perniciosum quam acerbissimum hostem coercerent. Habemus senatus consultum in te, Catilina, vehemens et grave: non

deest rei-publicæ consilium, neque auctoritas hujus ordinis: nos, nos, dico aperte, consules desumus.

II. 4. Decrevit quondam senatus, ut L. Opimius consul videret, ne quid res-publica detrimenti caperet. Nox nulla
5 intercessit: interfectus est propter quasdam seditionum suspiciones C. Gracchus clarissimo patre, avo, majoribus; occisus est cum liberis M. Fulvius consularis. Simili senatus-consulto C. Mario et L. Valerio consulibus est permissa res publica. Num unum diem postea L. Saturninum tri-
10 bunum plebi et C. Servilium prætorem mors ac rei-publicæ pœna remorata est? At vero nos vicesimum jam diem patimur hebescere aciem horum auctoritatis. Habemus enim hujusmodi senatus consultum, verumtamen inclusum in tabulis, tamquam in vagina reconditum: quo ex senatus
15 consulto confestim interfectum te esse, Catilina, convenit. Vivis: et vivis non ad deponendam, sed ad confirmandam audaciam. Cupio, Patres conscripti, me esse clementem; cupio in tantis rei publicæ periculis me non dissolutum videri: sed jam me ipsum inertiæ nequitiæque condemno.
20 5. Castra sunt in Italia contra rem publicam in Etruriæ faucibus collocata: crescit in dies singulos hostium numerus: eorum autem castrorum imperatorem ducemque hostium intra mœnia atque adeo in senatu videmus intestinam aliquam quotidie perniciem rei publicæ molientem. Si te
25 jam, Catilina, comprehendi, si interfici jussero: credo, erit verendum mihi, ne non hoc potius omnes boni serius a me, quam quisquam crudelius factum esse dicat. Verum ego hoc, quod jampridem factum esse oportuit, certa de causa nondum adducor, ut faciam. Tum denique interficiam te,
30 quum jam nemo tam improbus, tam perditus, tam tui similis inveniri poterit, qui id non jure factum esse fateatur. 6. Quamdiu quisquam erit, qui te defendere audeat, vives: sed vives ita, ut vivis, multis meis et firmis præsidiis obsessus, ne commovere te contra rem publicam possis. Mul-
35 torum te etiam oculi et aures non sentientem, sicut adhuc fecerunt, speculabuntur atque custodient.

III. Etenim quid est, Catilina, quod jam amplius exspectes, si neque nox tenebris obscurare cœtus nefarios nec privata domus parietibus continere voces conjurationis [tuæ]
40 potest? Si illustrantur, si erumpunt omnia? Muta jam istam mentem, mihi crede: obliviscere cædis atque incendiorum. Teneris undique: luce sunt clariora nobis tua consilia omnia: quæ jam mecum licet recognoscas. 7. Meministine me ante diem XII. Kalendas Novembres dicere

in senatu, fore in armis certo die, qui dies futurus esset ante diem VI. Kal. Novembres, C. Mallium, audaciæ satellitem atque administrum tuæ? Num me fefellit, Catilina, non modo res tanta, tam atrox, tam incredibilis, verum, id quod multo magis est admirandum, dies? Dixi ego idem in senatu, cædem te optimatium contulisse in ante diem V. Kalendas Novembres, tum, quum multi principes civitatis Roma non tam sui conservandi, quam tuorum consiliorum reprimendorum causa profugerunt. Num infitiari potes te illo ipso die meis præsidiis, mea diligentia circumclusum, commovere te contra rem publicam non potuisse, quum tu, discessu ceterorum, nostra tamen, qui remansissemus, cæde contentum te esse dicebas? 8. Quid? Quum tu te Præneste Kalendis ipsis Novembribus occupaturum nocturno impetu esse confideres: sensistine illam coloniam meo jussu meis præsidiis custodiis, vigiliisque esse munitam? Nihil agis, nihil moliris, nihil cogitas, quod ego non modo audiam, sed etiam videam planeque sentiam.

V. Recognosce tandem mecum noctem illam superiorem: jam intelliges multo me vigilare acrius ad salutem quam te ad perniciem rei publicæ. Dico te priore nocte venisse inter falcarios (non agam obscure) in M. Læcæ domum: convenisse eodem complures ejusdem amentiæ scelerisque socios. Num negare audes? Quid taces? Convincam, si negas. Video enim [esse] hic in senatu quosdam, qui tecum una fuerunt. 9. O dii immortales! ubinam gentium sumus? Quam rem publicam habemus? In qua urbe vivimus? Hic, hic sunt, nostro in numero, Patres conscripti, in hoc orbis terræ sanctissimo gravissimoque consilio, qui de nostro omnium interitu, qui de hujus urbis atque adeo orbis terrarum exitio cogitent. Hosce ego video consul, et de re publica sententiam rogo! Et, quos ferro trucidari oportebat, eos nondum voce vulnero! Fuisti igitur apud Læcam illa nocte, Catilina: distribuisti partes Italiæ: statuisti, quo quemque proficisci placeret: delegisti, quos Romæ relinqueres, quos tecum educeres; descripsisti urbis partes ad incendia; confirmasti te ipsum jam esse exiturum; dixisti paullulum tibi esse etiam nunc moræ, quôd ego viverem. Reperti sunt duo equites Romani, qui te ista cura liberarent et sese illa ipsa nocte paullo ante lucem me in meo lectulo interfecturos esse pollicerentur. 10. Hæc ego omnia, vixdum etiam cœtu vestro dimisso, comperi: domum meam majoribus præsidiis munivi atque firmavi: exclusi eos, quos tu mane ad me saluta-

tum miseras, quum illi ipsi venissent, quos ego jam multis ac summis viris ad me id temporis venturos esse prædixeram.

V. Quæ quum ita sint, Catilina, perge, quo cœpisti: egredere aliquando ex urbe: patent portæ: proficiscere. Nimium diu te imperatorem tua illa Malliana castra desiderant. Educ tecum etiam omnes tuos: si minus, quam plurimos. Purga urbem. Magno me metu liberabis, dummodo inter me atque te murus intersit. Nobiscum versari jam diutius non potes: non feram, non patiar, non sinam. 11. Magna diis immortalibus habenda est atque huic ipsi Jovi Statori, antiquissimo custodi hujus urbis, gratia, quod hanc tam tetram, tam horribilem tamque infestam rei publicæ pestem toties jam effugimus. Non est sæpius in uno homine summa salus periclitanda rei publicæ. Quamdiu mihi consuli designato, Catilina, insidiatus es, non publico me præsidio, sed privata diligentia defendi. Quum proximis comitiis consularibus me consulem in campo et competitores tuos interficere voluisti, compressi conatus tuos nefarios amicorum præsidio et copiis, nullo tumultu publice concitato: denique, quotiescunque me petisti, per me tibi obstiti: quamquam videbam perniciem meam cum magna calamitate rei publicæ esse conjunctam. Nunc jam aperte rem publicam universam petis: templa deorum immortalium, tecta urbis, vitam omnium civium, Italiam denique totam, ad exitium ac vastitatem vocas.

12. Quare, quoniam id, quod est primum et quod hujus imperii disciplinæque majorum proprium est, facere nondum audeo, faciam id, quod est ad severitatem lenius et ad communem salutem utilius. Nam, si te interfici jussero, residebit in re publica reliqua conjuratorum manus; sin tu (quod te jamdudum hortor) exieris, exhaurietur ex urbe tuorum comitum magna et perniciosa sentina rei publicæ. 13. Quid est, Catilina? Num dubitas id me imperante facere, quod jam tua sponte faciebas? Exire ex urbe jubet consul hostem. Interrogas me, num in exsilium? Non jubeo: sed si me consulis, suadeo.

VI. Quid est enim, Catilina, quod te jam in hac urbe delectare possit? In qua nemo est extra istam conjurationem perditorum hominum, qui te non metuat; nemo, qui non oderit. Quæ nota domesticæ turpitudinis non inusta vitæ tuæ est? [Quod privatarum rerum dedecus non hæret infamiæ?] Quæ libido ab oculis, quod facinus a manibus unquam tuis, quod flagitium a toto corpore abfuit?

Cui tu adolescentulo, quem corruptelarum illecebris irretisses, non aut ad audaciam ferrum aut ad libidinem facem prætulisti? 14. Quid vero? Nuper, quum morte superioris uxoris novis nuptiis domum vacuefecisses, nonne etiam alio incredibili scelere hoc scelus cumulasti? Quod ego prætermitto, et facile patior sileri; ne in hac civitate tanti facinoris immanitas aut exstitisse aut non vindicata esse videatur. Prætermitto ruinas fortunarum tuarum, quas omnes impendere tibi proximis Idibus senties: ad illa venio, quæ non ad privatam ignominiam vitiorum tuorum, non ad domesticam tuam difficultatem ac turpitudinem, sed ad summam rem-publicam atque ad omnium nostrum vitam salutemque pertinent. 15. Potestne tibi hæc lux, Catilina, aut hujus cœli spiritus esse jucundus, quum scias horum esse neminem, qui nesciat te pridie Kalendas Januarias Lepido et Tullo consulibus stetisse in comitio cum telo? Manum consulum et principum civitatis interficiendorum causa paravisse? Sceleri ac furori tuo non mentem aliquam aut timorem tuum, sed fortunam populi Romani obstitisse? Ac jam illa omitto (neque enim sunt aut obscura aut non multa post commissa): quotiens tu me designatum, quotiens consulem interficere conatus es! Quot ego tuas petitiones ita conjectas, ut vitari posse non viderentur, parva quadam declinatione et, ut aiunt, corpore effugi! [Nihil agis], nihil assequeris, [nihil moliris], neque tamen conari ac velle desistis. 16. Quotiens tibi jam extorta est sica ista de manibus! Quotiens vero excidit casu aliquo et elapsa est! [Tamen ea carere diutius non potes]: quæ quidem quibus abs te initiata sacris ac devota sit, nescio, quod eam necesse putas esse in consulis corpore defigere.

VII. Nunc vero, quæ tua est ista vita? Sic enim jam tecum loquar, non ut odio permotus esse videar, quo debeo, sed ut misericordia, quæ tibi nulla debetur. Venisti paullo ante in senatum. Quis te ex hac tanta frequentia, tot ex tuis amicis ac necessariis salutavit? Si hoc post hominum memoriam contigit nemini, vocis exspectas contumeliam, quum sis gravissimo judicio taciturnitatis oppressus? Quid? Quod adventu tuo ista subsellia vacuefacta sunt, quod omnes consulares, qui tibi persæpe ad cædem constituti fuerunt, simul atque assedisti, partem istam subselliorum nudam atque inanem reliquerunt, quo tandem animo hoc tibi ferendum putas? 17. Servi mehercule mei si me isto pacto metuerent, ut te metuunt omnes cives tui, domum meam relinquendam putarem: tu tibi urbem non arbitraris? Et,

si me meis civibus injuria suspectum tam graviter atque offensum viderem, carere me adspectu civium, quam infestis oculis omnium conspici mallem: tu, quum conscientia scelerum tuorum agnoscas odium omnium justum et jam diu 5 tibi debitum, dubitas, quorum mentes sensusque vulneras, eorum adspectum præsentiamque vitare? Si te parentes timerent atque odissent tui neque eos ulla ratione placare posses, ut opinor, ab eorum oculis aliquo concederes: nunc te patria, quæ communis est omnium nostrum parens, odit 10 ac metuit et jamdiu te nihil judicat nisi de parricidio suo cogitare. Hujus tu neque auctoritatem verebere nec judicium sequere nec vim pertimesces? 18. Quæ tecum, Catilina, sic agit et quodam modo tacita loquitur: "Nullum jam aliquot annis facinus exstitit nisi per te; nullum flagi- 15 tium sine te; tibi uni multorum civium neces, tibi vexatio direptioque sociorum impunita fuit ac libera; tu non solum ad negligendas leges et quæstiones, verum etiam ad evertendas perfringendasque valuisti. Superiora illa, quamquam ferenda non fuerunt, tamen, ut potui, tuli: nunc vero me 20 totam esse in metu propter unum te, quidquid increpuerit, Catilinam timeri, nullum videri contra me consilium iniri posse, quod a tuo scelere abhorreat, non est ferendum. Quamobrem discede atque hunc mihi timorem eripe: si est verus, ne opprimar; sin falsus, ut tandem aliquando timere 25 desinam."

VIII. 19. Hæc si tecum, ut dixi, patria loquatur, nonne impetrare debeat, etiam si vim adhibere non possit? Quid? Quod tu te ipse in custodiam dedisti? Quod vitandæ suspicionis causa ad M'. Lepidum te habitare velle dixisti? A 30 quo non receptus, etiam ad me venire ausus es atque, ut domi meæ te asservarem, rogasti. Quum a me quoque id responsi tulisses, me nullo modo posse iisdem parietibus tuto esse tecum, qui magno in periculo essem, quod iisdem mœnibus contineremur, ad Q. Metellum prætorem venisti. 35 A quo repudiatus, ad sodalem tuum, virum optimum, M. Marcellum demigrasti; quem tu videlicet et ad custodiendum te diligentissimum et ad suspicandum sagacissimum et ad vindicandum fortissimum fore putasti. Sed quam longe videtur a carcere atque a vinculis abesse debere, qui 40 se ipse jam dignum custodia judicarit? 20. Quæ quum ita sint, Catilina, dubitas, si emori æquo animo non potes, abire in aliquas terras, et vitam istam, multis suppliciis justis debitisque ereptam, fugæ solitudinique mandare?

"Refer," inquis, "ad senatum:" id enim postulas, et, si hic

ordo sibi placere decreverit te ire in exsilium, obtemperaturum te esse dicis. Non referam, id quod abhorret a meis moribus: sed tamen faciam, ut intelligas, quid hi de te sentiant. Egredere ex urbe, Catilina: libera rem publicam metu: in exsilium, si hanc vocem exspectas, proficiscere. 5
Quid est, Catilina? Ecquid attendis, ecquid animadvertis horum silentium? Patiuntur, tacent. Quid exspectas auctoritatem loquentium, quorum voluntatem tacitorum perspicis? 21. At si hoc idem huic adolescenti optimo, P. Sestio, si fortissimo viro, M. Marcello dixissem, jam mihi 10
consuli hoc ipso in templo jure optimo senatus vim et manus intulisset. De te autem, Catilina, quum quiescunt, probant, quum patiuntur, decernunt, quum tacent, clamant. Neque hi solum, quorum tibi auctoritas est videlicet cara, vita vilissima: sed etiam illi equites Romani, honestissimi atque 15
optimi viri, ceterique fortissimi cives, qui circumstant senatum, quorum tu et frequentiam videre et studia perspicere et voces paullo ante exaudire potuisti. Quorum ego vix abs te jamdiu manus ac tela contineo, eosdem facile adducam, ut te hæc, quæ jampridem vastare studes, relinquentem usque ad portas prosequantur. 20

IX. 22. Quamquam quid loquor? Te ut ulla res frangat? Tu ut unquam te corrigas? Tu ut ullam fugam meditere? Tu ut ullum exsilium cogites? Utinam tibi istam mentem dii immortales duint! Tametsi video, si mea 25
voce perterritus ire in exsilium animum induxeris, quanta tempestas invidiæ nobis, si minus in præsens tempus recenti memoria scelerum tuorum, at in posteritatem impendeat. Sed est tanti; dummodo ista privata sit calamitas et a rei publicæ periculis sejungatur. Sed tu ut vitiis tuis commoveare, ut legum pœnas pertimescas, ut temporibus rei publicæ cedas, non est postulandum. Neque enim is es, Catilina, ut te aut pudor a turpitudine aut metus a periculo aut ratio a furore revocarit. 23. Quamobrem, ut sæpe jam dixi, proficiscere: ac, si mihi inimico, ut prædicas, tuo conflare vis invidiam, recta perge in exsilium: vix feram sermones hominum, si id feceris; vix molem istius invidiæ, si in exsilium jussu consulis ieris, sustinebo. Sin autem servire meæ laudi et gloriæ mavis, egredere cum importuna sceleratorum manu; confer te ad Mallium; concita perditos 40
cives; secerne te a bonis, infer patriæ bellum; exsulta impio latrocinio, ut a me non ejectus ad alienos, sed invitatus ad tuos isse videaris. 24. Quamquam quid ego te invitem, a quo jam sciam esse præmissos, qui tibi ad Forum Aure-

lium præstolarentur armati? Cui sciam pactam et constitutam cum Mallio diem? A quo etiam aquilam illam argenteam, quam tibi ac tuis omnibus perniciosam esse confido ac funestam futuram, cui domi tuæ sacrarium scelerum
5 tuorum constitutum fuit, sciam esse præmissam? Tu ut illa carere diutius possis, quam venerari ad cædem proficiscens solebas? a cujus altaribus sæpe istam impiam dexteram ad necem civium transtulisti?

X. 25. Ibis tandem aliquando, quo te jampridem tua
10 ista cupiditas effrenata ac furiosa rapiebat. Neque enim tibi hæc res affert dolorem, sed quandam incredibilem voluptatem. Ad hanc te amentiam natura peperit, voluntas exercuit, fortuna servavit. Nunquam tu non modo otium, sed ne bellum quidem nisi nefarium concupisti. Nactus es
15 ex perditis atque ab omni non modo fortuna, verum etiam spe derelictis, conflatam improborum manum. 26. Hic tu qua lætitia perfruere? Quibus gaudiis exsultabis? Quanta in voluptate bacchabere, quum in tanto numero tuorum neque audies virum bonum quemquam neque videbis? Ad
20 hujus vitæ studium meditati sunt illi, qui feruntur, labores tui: jacere humi non modo ad obsidendum stuprum, verum etiam ad facinus obeundum; vigilare non solum insidiantem somno maritorum, verum etiam bonis otiosorum. Habes, ubi ostentes illam tuam præclaram patientiam famis, frigo-
25 ris, inopiæ rerum omnium, quibus te brevi tempore confectum esse senties. 27. Tantum profeci [tum], quum te a consulatu reppuli, ut exsul potius tentare quam consul vexare rem publicam posses atque ut id, quod esset abs te scelerate susceptum, latrocinium potius quam bellum nomi-
30 naretur.

XI. Nunc, ut a me, Patres conscripti, quandam prope justam patriæ querimoniam detester ac deprecer, percipite, quæso, diligenter, quæ dicam, et ea penitus animis vestris mentibusque mandate. Etenim, si mecum patria, quæ mihi
35 vita mea multo est carior, si cuncta Italia, si omnis res publica loquatur: "M. Tulli, quid agis? Tune eum, quem esse hostem comperisti, quem ducem belli futurum vides, quem exspectari imperatorem in castris hostium sentis, auctorem sceleris, principem conjurationis, evocatorem servo-
40 rum et civium perditorum, exire patiere, ut abs te non emissus ex urbe, sed immissus in urbem esse videatur? Nonne hunc in vincula duci, non ad mortem rapi, non summo supplicio mactari imperabis? 28. Quid tandem te impedit? Mosne majorum? At persæpe etiam privati in

hac re publica perniciosos cives morte multarunt. An leges, quæ de civium Romanorum supplicio rogatæ sunt? At nunquam in hac urbe ii, qui a re publica defecerunt, civium jura tenuerunt. An invidiam posteritatis times? Præclaram vero populo Romano refers gratiam, qui te hominem per te cognitum, nulla commendatione majorum tam mature ad summum imperium per omnes honorum gradus extulit, si propter invidiam aut alicujus periculi metum salutem civium tuorum negligis. 29. Sed, si quis est invidiæ metus, num est vehementius severitatis ac fortitudinis invidia quam inertiæ ac nequitiæ pertimescenda? An quum bello vastabitur Italia, vexabuntur urbes, tecta ardebunt, tum te non existimas invidiæ incendio conflagraturum?"

XII. His ego sanctissimis rei publicæ vocibus et eorum hominum, qui hoc idem sentiunt, mentibus pauca respondebo. Ego, si hoc optimum factu judicarem, Patres conscripti, Catilinam morte multari, unius usuram horæ gladiatori isti ad vivendum non dedissem. Etenim, si summi viri et clarissimi cives Saturnini et Gracchorum et Flacci et superiorum complurium sanguine non modo se non contaminarunt, sed etiam honestarunt, certe verendum mihi non erat, ne quid hoc parricida civium interfecto invidiæ mihi in posteritatem redundaret. Quod si ea mihi maxime impenderet, tamen hoc animo semper fui, ut invidiam virtute partam gloriam, non invidiam putarem. 30. Quamquam nonnulli sunt in hoc ordine, qui aut ea, quæ imminent, non videant, aut ea, quæ vident, dissimulent: qui spem Catilinæ mollibus sententiis aluerunt, conjurationemque nascentem non credendo corroboraverunt: quorum auctoritatem secuti multi, non solum improbi, verum etiam imperiti, si in hunc animadvertissem, crudeliter et regie factum esse dicerent. Nunc intelligo, si iste, quo intendit, in Malliana castra pervenerit, neminem tam stultum fore, qui non videat conjurationem esse factam, neminem tam improbum, qui non fateatur. Hoc autem uno interfecto intelligo hanc rei publicæ pestem paullisper reprimi, non in perpetuum comprimi posse. Quod si se ejecerit secumque suos eduxerit, et eodem ceteros undique collectos naufragos aggregaverit, exstinguetur atque delebitur non modo hæc tam adulta rei publicæ pestis, verum etiam stirps ac semen malorum omnium.

XIII. 31. Etenim jamdiu, Patres conscripti, in his periculis conjurationis insidiisque versamur, sed nescio quo

pacto omnium scelerum ac veteris furoris et audaciæ matu-
ritas in nostri consulatus tempus erupit. Quod si ex tanto
latrocinio iste unus tolletur, videbimur fortasse ad breve
quoddam tempus cura et metu esse relevati: periculum au-
5 tem residebit et erit inclusum penitus in venis atque in vi-
sceribus rei publicæ. Ut sæpe homines ægri morbo gravi,
quum æstu febrique jactantur, si aquam gelidam biberint,
primo relevari videntur, deinde multo gravius vehementius-
que afflictantur, sic hic morbus, qui est in re publica, rele-
10 vatus istius pœna vehementius vivis reliquis ingravescet.
32. Quare secedant improbi, secernant se a bonis, unum in
locum congregentur, muro denique, id quod sæpe jam dixi,
secernantur a nobis, desinant insidiari domi suæ consuli,
circumstare tribunal prætoris urbani, obsidere cum gladiis
15 curiam, malleolos et faces ad inflammandam urbem compa-
rare; sit denique inscriptum in fronte unius cujusque, quid
de re publica sentiat. Polliceor vobis hoc, Patres conscripti,
tantam in nobis consulibus fore diligentiam, tantam in vobis
auctoritatem, tantam in equitibus Romanis virtutem, tantam
20 in omnibus bonis consensionem, ut Catilinæ profectione
omnia patefacta illustrata, oppressa vindicata esse videatis.

33. Hisce ominibus, Catilina, cum summa rei publicæ
salute et cum tua peste ac pernicie cumque eorum exitio,
qui se tecum omni scelere parricidioque junxerunt, profici-
25 scere ad impium bellum ac nefarium. Tum tu, Juppiter, qui
iisdem, quibus hæc urbs, auspiciis a Romulo es constitutus,
quem Statorem hujus urbis atque imperii vere nominamus,
hunc et hujus socios a tuis aris ceterisque templis, a tectis
urbis ac mœnibus, a vita fortunisque civium [omnium] ar-
30 cebis: et homines bonorum inimicos, hostes patriæ, latrones
Italiæ, scelerum fœdere inter se ac nefaria societate con-
junctos æternis suppliciis vivos mortuosque mactabis.



IN

L. CATILINAM

SECUNDA

AD

QUIRITES ORATIO.

I. 1. TANDEM aliquando, Quirites, L. Catilinam, furentem audacia, scelus anhelantem, pestem patriæ nefarie molientem, vobis atque huic urbi ferro flammaque minitantem, ex urbe vel ejecimus vel emisimus vel ipsum egredientem verbis prosecuti sumus. Abiit, excessit, evasit, erupit. 5
Nulla jam pernicies a monstro illo atque prodigio mœnibus ipsis intra mœnia comparabitur. Atque hunc quidem unum hujus belli domestici ducem sine controversia vicimus. Non enim jam inter latera nostra sica illa versabitur: non in campo, non in foro, non in curia, non denique intra dome- 10
sticos parietes pertimescemus. Loco ille motus est, quum est ex urbe depulsus. Palam jam cum hoste, nullo impediente, bellum justum geremus. Sine dubio perdidimus hominem magnificeque vicimus, quum illum ex occultis insidiis in apertum latrocinium conjecimus. 2. Quod vero 15
non cruentum mucronem, ut voluit, extulit, quod vivis nobis egressus est, quod ei ferrum e manibus extorsimus, quod incolumes cives, quod stantem urbem reliquit; quanto tandem illum mærore esse afflictum et profligatum putatis? Jacet ille nunc prostratusque est et se perculsum atque ab- 20
jectum esse sentit et retorquet oculos profecto sæpe ad hanc urbem, quam e suis faucibus ereptam esse luget; quæ quidem mihi lætari videtur, quod tantam pestem evomuerit forasque projecerit.

II. 3. At si quis est talis, quales esse omnes oportebat, 25
qui in hoc ipso, in quo exsultat et triumphat oratio mea, me vehementer accuset, quod tam capitalem hostem non comprehenderim potius, quam emiserim; non est ista mea culpa, Quirites, sed temporum. Interfectum esse L. Catilinam et gravissimo supplicio affectum jampridem oportebat: id- 30

que a me et mos majorum et hujus imperii severitas et res publica postulabat. Sed quam multos fuisse putatis, qui, quæ ego deferrem, non crederent? [Quam multos, qui propter stultitiam non putarent?] Quam multos, qui etiam
5 defenderent? [Quam multos, qui propter improbitatem faverent?] Ac si, illo sublato, depelli a vobis omne periculum judicarem, jampridem ego L. Catilinam non modo invidiæ meæ, verum etiam vitæ periculo sustulissem. 4. Sed quum viderem, ne vobis quidem omnibus re etiam tum pro-
10 bata, si illum, ut erat meritus, morte multassem, fore, ut ejus socios invidia oppressus persequi non possem, rem huc deduxi, ut tum palam pugnare possetis, quum hostem aperte videretis. Quem quidem ego hostem, Quirites, quam vehementer foris esse timendum putem, licet hinc intelliga-
15 tis, quod etiam illud moleste fero, quod ex urbe parum comitatus exierit. Utinam ille omnes secum suas copias eduxisset! Tongilium mihi eduxit, quem amare in prætexta [calumnia] cœperat; Publicium et Munatium, quorum æs alienum contractum in popina nullum rei publicæ motum
20 afferre poterat: reliquit quos viros! quanto ære alieno! quam valentes! quam nobiles!

III. 5. Itaque ego illum exercitum et Gallicanis legionibus et hoc delectu, quem in agro Piceno et Gallico Q. Metellus habuit, et his copiis, quæ a nobis quotidie comparantur,
25 magno opere contemno, collectum ex senibus desperatis, ex agresti luxuria, ex rusticis decoctoribus, ex iis, qui vadimonia deserere quam illum exercitum maluerunt; quibus ego non modo si aciem exercitus nostri, verum etiam si edictum prætoris ostendero, concident. Hos, quos video volitare in
30 foro, quos stare ad curiam, quos etiam in senatum venire; qui nitent unguentis, qui fulgent purpura, mallem secum suos milites eduxisset: qui si hic permanent, mementote non tam exercitum illum esse nobis quam hos, qui exercitum deseruerunt, pertimescendos. Atque hoc etiam sunt ti-
35 mendi magis, quod, quid cogitent, me scire sentiunt neque tamen permoventur. 6. Video, cui sit Apulia attributa, quis habeat Etruriam, quis agrum Picenum, quis Gallicum, quis sibi has urbanas insidias cædis atque incendiorum depoposcerit. Omnia superioris noctis consilia ad me perlata esse sentiunt;
40 patefeci in senatu hesterno die; Catilina ipse pertimuit, profugit: hi quid exspectant? Næ illi vehementer errant, si illam meam pristinam lenitatem perpetuam sperant futuram.

IV. Quod exspectavi, jam sum assecutus, ut vos omnes factam esse aperte conjurationem contra rem publicam vi-

deretis. Nisi vero si quis est, qui Catilinæ similes cum Catilina sentire non putet. Non est jam lenitati locus: severitatem res ipsa flagitat. Unum etiam nunc concedam: exeant, proficiscantur, ne patiantur desiderio sui Catilinam miserum tabescere. Demonstrabo iter: Aurelia via profectus est. Si accelerare volent, ad vesperam consequentur. 7. O fortunatam rem publicam, si quidem hanc sentinam hujus urbis ejecerit! Uno mehercule Catilina exhausto relevata mihi et recreata res publica videtur. Quid enim mali aut sceleris fingi aut cogitari potest, quod non ille conceperit? Quis tota Italia veneficus, quis gladiator, quis latro, quis sicarius, quis parricida, quis testamentorum subjector, quis circumscriptor, quis ganeo, quis nepos, quis adulter, quæ mulier infamis, quis corruptor juventutis, quis corruptus, quis perditus inveniri potest, qui se cum Catilina non familiarissime vixisse fateatur? Quæ cædes per hosce annos sine illo facta est? Quod nefarium stuprum non per illum? 8. Jam vero quæ tanta unquam in ullo homine juventutis illecebra fuit, quanta in illo? Qui alios ipse amabat turpissime, aliorum amori flagitiosissime serviebat, aliis fructum libidinum, aliis mortem parentum non modo impellendo, verum etiam adjuvando pollicebatur. Nunc vero quam subito non solum ex urbe, verum etiam ex agris, ingentem numerum perditorum hominum collegerat? Nemo non modo Romæ, sed [nec] ullo in angulo totius Italiæ oppressus ære alieno fuit, quem non ad hoc incredibile sceleris fœdus adsciverit.

V. 9. Atque ut ejus diversa studia in dissimili ratione perspicere possitis, nemo est in ludo gladiatorio paullo ad facinus audacior, qui se non intimum Catilinæ esse fateatur; nemo in scena levior et nequior, qui se non ejusdem prope sodalem fuisse commemoret. Atque idem tamen stuprorum et scelerum exercitatione assuefactus frigori et fami et siti et vigiliis perferendis, fortis ab istis prædicabatur, quum industriæ subsidia atque instrumenta virtutis in libidine audaciaque consumerentur. 10. Hunc vero si secuti erunt sui comites; si ex urbe exierint desperatorum hominum flagitiosi greges: o nos beatos, o rem publicam fortunatam, o præclaram laudem consulatus mei! Non enim jam sunt mediocres hominum libidines, non humanæ audaciæ ac tolerandæ: nihil cogitant nisi cædes, nisi incendia, nisi rapinas: patrimonia sua profuderunt: fortunas suas obligaverunt: res eos jampridem, fides nuper deficere cœpit: eadem tamen illa, quæ erat in abundantia, libido permanet. Quod

si in vino et alea comissationes solum et scorta quærerent, essent illi quidem desperandi, sed tamen essent ferendi. Hoc vero quis ferre possit, inertes homines fortissimis viris insidiari, stultissimos prudentissimis, ebriosos sobriis, dor-
5 mientes vigilantibus? Qui mihi accubantes in conviviis, complexi mulieres impudicas, vino languidi, conferti cibo, sertis redimiti, unguentis obliti, debilitati stupris, eructant sermonibus suis cædem bonorum atque urbis incendia. 11. Quibus ego confido impendere fatum aliquod et pœnam
10 jamdiu improbitati, nequitiæ, sceleri, libidini debitam aut instare jam plane aut certe appropinquare. Quos si meus consulatus, quoniam sanare non potest, sustulerit, non breve nescio quod tempus, sed multa secula propagarit rei publicæ. Nulla est enim natio, quam pertimescamus; nullus
15 rex, qui bellum populo Romano facere possit. Omnia sunt externa unius virtute terra marique pacata: domesticum bellum manet; intus insidiæ sunt, intus inclusum periculum est; intus est hostis. Cum luxuria nobis, cum amentia, cum scelere certandum est. Huic ego me bello ducem
20 profiteor, Quirites; suscipio inimicitias hominum perditorum. Quæ sanari poterunt, quacunque ratione sanabo: quæ resecanda erunt, non patiar ad perniciem civitatis manere. Proinde aut exeant aut quiescant aut, si et in urbe et in eadem mente permanent, ea, quæ merentur, exspectent.
25 VI. 12. At etiam sunt, qui dicant, Quirites, a me in exsilium ejectum esse Catilinam. Quod ego si verbo assequi possem, istos ipsos ejicerem, qui hæc loquuntur. Homo videlicet timidus aut etiam permodestus vocem consulis ferre non potuit: simul atque ire in exsilium jussus est,
30 paruit, ivit. Hesterno die, quum domi meæ pæne interfectus essem, senatum in ædem Jovis Statoris convocavi; rem omnem ad patres conscriptos detuli. Quo quum Catilina venisset, quis eum senator appellavit? quis salutavit? quis denique ita adspexit ut perditum civem, ac non potius ut
35 importunissimum hostem? Quin etiam principes ejus ordinis partem illam subselliorum, ad quam ille accesserat, nudam atque inanem reliquerunt. 13. Hic ego vehemens ille consul, qui verbo cives in exsilium ejicio, quæsivi a Catilina, nocturno conventu apud M. Læcam fuisset necne.
40 Quum ille, homo audacissimus, conscientia convictus primo reticuisset, patefeci cetera; quid ea nocte egisset, quid proxima constituisset, quemadmodum esset ei ratio totius belli descripta, edocui. Quum hæsitaret, quum teneretur, quæsivi, quid dubitaret proficisci eo, quo jampridem para-

ret: quum arma, quum secures, quum fasces, quum tubas, quum signa militaria, quum aquilam illam argenteam, cui ille etiam sacrarium scelerum domi suæ fecerat, scirem esse præmissam. 14. In exsilium ejiciebam, quem jam ingressam esse in bellum videbam? Etenim, credo, Mallius iste 5 centurio, qui in agro Fæsulano castra posuit, bellum populo Romano suo nomine indixit; et illa castra nunc non Catilinam ducem exspectant et ille ejectus in exsilium se Massiliam, ut aiunt, non in hæc castra conferet.

VII. O conditionem miseram, non modo administrandæ, 10 verum etiam conservandæ rei publicæ! Nunc, si L. Catilina consiliis laboribus periculis meis circumclusus ac debilitatus subito pertimuerit, sententiam mutaverit, deseruerit suos, consilium belli faciundi abjecerit, ex hoc cursu sceleris et belli iter ad fugam atque in exsilium converterit, 15 non ille a me spoliatus armis audaciæ, non obstupefactus ac perterritus mea diligentia, non de spe conatuque depulsus, sed indemnatus, innocens, in exsilium ejectus a consule vi et minis esse dicetur: et erunt, qui illum, si hoc fecerit, non improbum, sed miserum, me non diligentissimum consulem, 20 sed crudelissimum tyrannum existimari velint. 15. Est mihi tanti, Quirites, hujus invidiæ falsæ atque iniquæ tempestatem subire, dummodo a vobis hujus horribilis belli ac nefarii periculum depellatur. Dicatur sane ejectus esse a me, dummodo eat in exsilium. Sed mihi credite, non est 25 iturus. Nunquam ego a diis immortalibus optabo, Quirites, invidiæ meæ levandæ causa, ut L. Catilinam ducere exercitum hostium atque in armis volitare audiatis; sed triduo tamen audietis: multoque magis illud timeo, ne mihi sit invidiosum aliquando, quod illum emiserim potius, quam 30 quod ejecerim. Sed quum sint homines, qui illum, quum profectus sit, ejectum esse dicant, iidem, si interfectus esset, quid dicerent? 16. Quamquam isti, qui Catilinam Massiliam ire dictitant, non tam hoc queruntur, quam verentur. Nemo est istorum tam misericors, qui illum non ad Mallium 35 quam ad Massilienses ire malit. Ille autem, si mehercule hoc, quod agit, nunquam ante cogitasset, tamen latrocinantem se interfici mallet quam exsulem vivere. Nunc vero, quum ei nihil adhuc præter ipsius voluntatem cogitationemque acciderit, nisi quod vivis nobis Roma profectus est, 40 optemus potius, ut eat in exsilium, quam queramur.

VIII. 17. Sed cur tamdiu de uno hoste loquimur, et de eo hoste, qui jam fatetur se esse hostem, et quem, quia, quod semper volui, murus interest, non timeo: de his, qui

dissimulant, qui Romæ remanent, qui nobiscum sunt, nihil
dicimus? Quos quidem ego, si ullo modo fieri possit, non
tam ulcisci studeo quam sanare sibi ipsos, placare rei pu-
blicæ; neque id quare fieri non possit, si me audire volent,
5 intelligo. Exponam enim vobis, Quirites, ex quibus generi-
bus hominum istæ copiæ comparentur: deinde singulis
medicinam consilii atque orationis meæ, si quam potero, af-
feram. 18. Unum genus est eorum, qui magno in ære
alieno majores etiam possessiones habent, quarum amore
10 adducti dissolvi nullo modo possunt. Horum hominum
species est honestissima; sunt enim locupletes: voluntas
vero et causa impudentissima. Tu agris, tu ædificiis, tu ar-
gento, tu familia, tu rebus omnibus ornatus et copiosus sis,
et dubites de possessione detrahere, acquirere ad fidem?
15 Quid enim exspectas? Bellum? Quid? Ergo in vasta-
tione omnium tuas possessiones sacrosanctas futuras putas?
An tabulas novas? Errant, qui istas a Catilina exspectant.
Meo beneficio tabulæ novæ proferentur, verum auctionariæ.
Neque enim isti, qui possessiones habent, alia ratione ulla
20 salvi esse possunt. Quod si maturius facere voluissent, ne-
que (id quod stultissimum est) certare cum usuris fructibus
prædiorum, et locupletioribus his et melioribus civibus ute-
remur. Sed hosce homines minime puto pertimescendos,
quod aut deduci de sententia possunt; aut, si permanebunt,
25 magis mihi videntur vota facturi contra rem publicam quam
arma laturi.

IX. 19. Alterum genus est eorum, qui quamquam pre-
muntur ære alieno, dominationem tamen exspectant, rerum
potiri volunt, honores, quos quieta re publica desperant,
30 perturbata consequi se posse arbitrantur. Quibus hoc
præcipiendum videtur, unum scilicet et idem, quod reliquis
omnibus, ut desperent, se id, quod conantur, consequi posse:
primum omnium, me ipsum vigilare, adesse, providere rei
publicæ; deinde magnos animos esse in bonis viris, magnam
35 concordiam, maximam multitudinem, magnas præterea co-
pias militum; deos denique immortales huic invicto populo,
clarissimo imperio, pulcherrimæ urbi contra tantam vim
sceleris præsentes auxilium esse laturos. Quod si jam sint
id, quod cum summo furore cupiunt, adepti, num illi in ci-
40 nere urbis et in sanguine civium, quæ mente conscelerata
ac nefaria concupierunt, consules se aut dictatores, aut
etiam reges sperant futuros? Non vident id se cupere,
quod si adepti sint, fugitivo alicui aut gladiatori concedi sit
necesse? 20. Tertium genus est ætate jam affectum, sed

tamen exercitatione robustum: quo ex genere iste est Mallius, cui nunc Catilina succedit. Hi sunt homines ex iis coloniis, quas Fæsulis Sulla constituit: quas ego universas civium esse optimorum et fortissimorum virorum sentio: sed tamen hi sunt coloni, qui se in insperatis ac repentinis pecuniis sumptuosius insolentiusque jactarunt. Hi dum ædificant, tamquam beati, dum prædiis, lecticis, familiis magnis, conviviis apparatis delectantur, in tantum æs alienum inciderunt, ut, si salvi esse velint, Sulla sit iis ab inferis excitandus. Qui etiam nonnullos agrestes, homines tenues atque egentes, in eandem illam spem rapinarum veterum impulerunt; quos ego, Quirites, in eodem genere prædatorum direptorumque pono. Sed eos hoc moneo: desinant furere et proscriptiones et dictaturas cogitare. Tantus enim illorum temporum dolor inustus est civitati, ut jam ista non modo homines, sed ne pecudes quidem mihi passuræ esse videantur.

X. 21. Quartum genus est sane varium et mixtum et turbulentum; qui jampridem premuntur, qui nunquam emergunt; qui partim inertia, partim male gerendo negotio, partim etiam sumptibus in vetere ære alieno vacillant; qui vadimoniis, judiciis, proscriptionibus bonorum defatigati, permulti et ex urbe et ex agris se in illa castra conferre dicuntur. Hosce ego non tam milites acres, quam infitiatores lentos esse arbitror. Qui homines primum si stare non possunt, corruant: sed ita, ut non modo civitas, sed ne vicini quidem proximi sentiant. Nam illud non intelligo, quamobrem, si vivere honeste non possunt, perire turpiter velint, aut cur minore dolore perituros se cum multis, quam si soli pereant, arbitrentur. 22. Quintum genus est parricidarum, sicariorum, denique omnium facinorosorum; quos ego a Catilina non revoco; nam neque divelli ab eo possunt, et pereant sane in latrocinio, quoniam sunt ita multi, ut eos carcer capere non possit. Postremum autem genus est, non solum numero, verum etiam genere ipso atque vita, quod proprium Catilinæ est, de ejus delectu, immo vero de complexu ejus ac sinu; quos pexo capillo, nitidos aut imberbes aut bene barbatos videtis, manicatis et talaribus tunicis, velis amictos, non togis; quorum omnis industria vitæ et vigilandi labor in antelucanis cœnis expromitur. 23. In his gregibus omnes aleatores, omnes adulteri, omnes impuri impudicique versantur. Hi pueri tam lepidi ac delicati non solum amare et amari, neque cantare et psallere, sed etiam sicas vibrare et spargere venena didicerunt; qui nisi exeunt,

nisi pereunt, etiam si Catilina perierit, scitote hoc in re publica seminarium Catilinarium futurum. Verumtamen quid sibi isti miseri volunt? Num suas secum mulierculas sunt in castra ducturi? Quemadmodum autem illis carere poterunt, his præsertim jam noctibus? Quo autem pacto illi Apenninum atque illas pruinas ac nives perferent? Nisi idcirco se facilius hiemem toleraturos putant, quod nudi in conviviis saltare didicerunt.

XI. 24. O bellum magno opere pertimescendum, quum hanc sit habiturus Catilina scortorum cohortem prætoriam! Instruite nunc, Quirites, contra has tam præclaras Catilinæ copias, vestra præsidia, vestrosque exercitus; et primum gladiatori illi confecto et saucio consules imperatoresque vestros opponite: deinde contra illam naufragorum ejectam ac debilitatam manum florem totius Italiæ ac robur educite. Jam vero urbes coloniarum ac municipiorum respondebunt Catilinæ tumulis silvestribus. Neque ego ceteras copias, ornamenta, præsidia vestra, cum illius latronis inopia atque egestate conferre debeo. 25. Sed, si, omissis his rebus omnibus, quibus nos suppeditamur, eget ille, senatu, equitibus Romanis, populo, urbe, ærario, vectigalibus, cuncta Italia, provinciis omnibus, exteris nationibus, si his rebus omissis, causas ipsas, quæ inter se confligunt, contendere velimus: ex eo ipso, quam valde illi jaceant, intelligere possumus. Ex hac enim parte pudor pugnat, illinc petulantia: hinc pudicitia, illinc stuprum: hinc fides, illinc fraudatio: hinc pietas, illinc scelus: hinc constantia, illinc furor: hinc honestas, illinc turpitudo: hinc continentia, illinc libido: denique æquitas, temperantia, fortitudo, prudentia, virtutes omnes certant cum iniquitate, luxuria, ignavia, temeritate, cum vitiis omnibus: postremo copia cum egestate, bona ratio cum perdita, mens sana cum amentia, bona denique spes cum omnium rerum desperatione confligit. In hujusmodi certamine ac prœlio nonne, etiam si hominum studia deficiant, dii ipsi immortales cogent ab his præclarissimis virtutibus tot et tanta vitia superari?

XII. 26. Quæ quum ita sint, Quirites, vos, quemadmodum jam antea, vestra tecta custodiis vigiliisque defendite: mihi, ut urbi sine vestro motu ac sine ullo tumultu satis esset præsidii, consultum atque provisum est. Coloni omnes municipesque vestri certiores a me facti de hac nocturna excursione Catilinæ facile urbes suas finesque defendent: gladiatores, quam sibi ille manum certissimam fore putavit, quamquam meliore animo sunt quam pars patriciorum, po-

testate tamen nostra continebuntur. Q. Metellus, quem ego hoc prospiciens in agrum Gallicum Picenumque præmisi, aut opprimet hominem aut ejus omnes motus conatusque prohibebit. Reliquis autem de rebus constituendis maturandis agendis jam ad senatum referemus, quem vocari 5 videtis.

27. Nunc illos, qui in urbe remanserunt atque adeo qui contra urbis salutem omniumque nostrum in urbe a Catilina relicti sunt, quamquam sunt hostes, tamen, quia nati sunt cives, monitos eos etiam atque etiam volo. Mea lenitas 10 adhuc si cui solutior visa est, hoc exspectavit, ut id, quod latebat, erumperet. Quod reliquum est, jam non possum oblivisci meam hanc esse patriam, me horum esse consulem, mihi aut cum his vivendum aut pro his esse moriendum. Nullus est portis custos, nullus insidiator viæ: si qui exire 15 volunt, connivere possum: qui vero se in urbe commoverit, cujus ego non modo factum, sed inceptum ullum conatumve contra patriam deprehendero, sentiet in hac urbe esse consules vigilantes, esse egregios magistratus, esse fortem senatum, esse arma, esse carcerem, quem vindicem nefario- 20 rum ac manifestorum scelerum majores nostri esse voluerunt.

XIII. 28. Atque hæc omnia sic agentur, Quirites, ut res maxima minimo motu, pericula summa nullo tumultu, bellum intestinum ac domesticum post hominum memoriam crudelissimum et maximum me uno togato duce et impera- 25 tore sedetur. Quod ego sic administrabo, Quirites, ut, si ullo modo fieri poterit, ne improbus quidem quisquam in hac urbe pœnam sui sceleris sufferat. Sed si vis manifestæ audaciæ, si impendens patriæ periculum me necessario de hac animi lenitate deduxerit, illud profecto perficiam, quod 30 in tanto et tam insidioso bello vix optandum videtur, ut neque bonus quisquam intereat paucorumque pœna vos jam omnes salvi esse possitis. 29. Quæ quidem ego neque mea prudentia neque humanis consiliis fretus polliceor vobis, Quirites; sed multis et non dubiis deorum immortalium 35 significationibus, quibus ego ducibus in hanc spem sententiamque sum ingressus; qui jam non procul, ut quondam solebant, ab externo hoste atque longinquo, sed hic præsentes suo numine atque auxilio sua templa atque urbis tecta defendunt; quos vos, Quirites, precari, venerari [atque] 40 implorare debetis, ut, quam urbem pulcherrimam, florentissimam potentissimamque esse voluerunt, hanc omnibus hostium copiis terra marique superatis a perditissimorum civium nefario scelere defendant.

IN

L. CATILINAM

ORATIO TERTIA

AD QUIRITES.

I. 1. Rem publicam, Quirites, vitamque omnium vestrum, bona fortunas, conjuges liberosque vestros atque hoc domicilium clarissimi imperii, fortunatissimam pulcherrimamque urbem hodierno die deorum immortalium summo
5 erga vos amore, laboribus consiliis periculis meis ex flamma atque ferro ac pæne ex faucibus fati ereptam et vobis conservatam ac restitutam videtis. 2. Et, si non minus nobis jucundi atque illustres sunt ii dies, quibus conservamur, quam illi, quibus nascimur, quod salutis certa lætitia est,
10 nascendi incerta conditio, et quod sine sensu nascimur, cum voluptate servamur, profecto, quoniam illum, qui hanc urbem condidit, ad deos immortales benevolentia famaque sustulimus, esse apud vos posterosque vestros in honore debebit is, qui eandem hanc urbem conditam amplificatam-
15 que servavit. Nam toti urbi, templis delubris, tectis ac mœnibus subjectos prope jam ignes circumdatosque restinximus iidemque gladios in rem publicam destrictos retudimus mucronesque eorum a jugulis vestris dejecimus. 3. Quæ quoniam in senatu illustrata, patefacta, comperta sunt
20 per me, vobis jam exponam breviter, Quirites, ut et quanta et quam manifesta et qua ratione investigata et comprehensa sint, vos, qui ignoratis, ex actis scire possitis.

Principio, ut Catilina paucis ante diebus erupit ex urbe, quum sceleris sui socios, hujusce nefarii belli acerrimos
25 duces Romæ reliquisset, semper vigilavi et providi, Quirites, quemadmodum in tantis et tam absconditis insidiis salvi esse possemus.

II. Nam tum, quum ex urbe Catilinam ejiciebam (non
enim jam vereor hujus verbi invidiam, quum illa magis sit
timenda, quod vivus exierit), sed tum, quum illum extermi-
nari volebam, aut reliquam conjuratorum manum simul
exituram aut eos, qui restitissent, infirmos, sine illo, ac debiles 5
fore putabam. 4. Atque ego, ut vidi, quos maxime furore
et scelere esse inflammatos sciebam, eos nobiscum esse et
Romæ remansisse, in eo omnes dies noctesque consumpsi,
ut, quid agerent, quid molirentur, sentirem ac viderem: ut,
quoniam auribus vestris propter incredibilem magnitudinem 10
sceleris minorem fidem faceret oratio mea, rem ita compre-
henderem, ut tum demum animis saluti vestræ provideretis,
quum oculis maleficium ipsum videretis. 5. Itaque ut
comperi legatos Allobrogum, belli Transalpini et tumultus
Gallici excitandi causa, a P. Lentulo esse sollicitatos, eosque 15
in Galliam ad suos cives eodemque itinere cum literis man-
datisque ad Catilinam esse missos, comitemque iis adjun-
ctum T. Volturcium, atque huic esse ad Catilinam datas
literas, facultatem mihi oblatam putavi, ut, quod erat diffi-
cillimum, quodque ego semper optabam a diis immortalibus, 20
ut tota res non solum a me, sed etiam a senatu et a vobis
manifesto deprehenderetur. Itaque hesterno die L. Flac-
cum et C. Pomptinum, prætores, fortissimos atque aman-
tissimos rei publicæ viros, ad me vocavi; rem omnem ex-
posui; quid fieri placeret, ostendi. Illi autem, qui omnia 25
de re publica præclara atque egregia sentirent, sine recusa-
tione ac sine ulla mora negotium susceperunt et, quum ad-
vesperasceret, occulte ad pontem Mulvium pervenerunt
atque ibi in proximis villis ita bipartito fuerunt, ut Tiberis
inter eos et pons interesset. Eodem autem et ipsi sine cu- 30
jusquam suspicione multos fortes viros eduxerunt, et ego ex
præfectura Reatina complures delectos adolescentes, quo-
rum opera utor assidue in re publica, præsidio cum gladiis
miseram. 6. Interim tertia fere vigilia exacta, quum jam
pontem Mulvium magno comitatu legati Allobrogum ingredi 35
inciperent unaque Volturcius, fit in eos impetus; educuntur
et ab illis gladii et a nostris. Res erat prætoribus nota
solis; ignorabatur a ceteris.

III. Tum interventu Pomptini atque Flacci pugna, quæ
erat commissa, sedatur. Literæ, quæcunque erant in eo 40
comitatu integris signis prætoribus traduntur; ipsi compre-
hensi ad me, quum jam dilucesceret, deducuntur. Atque
horum omnium scelerum improbissimum machinatorem
Cimbrum Gabinium statim ad me nihil dum suspicantem

vocavi. Deinde item arcessitur L. Statilius et post eum [C.] Cethegus. Tardissime autem Lentulus venit, credo quod in literis his dandis præter consuetudinem proxima nocte vigilaverat. 7. Quum vero summis et clarissimis
5 hujus civitatis viris, qui audita re frequentes ad me mane convenerant, literas a me prius aperiri, quam ad senatum referri placeret, ne, si nihil esset inventum, temere a me tantus tumultus injectus civitati videretur, negavi me esse facturum, ut de periculo publico non ad consilium publicum
10 rem integram deferrem. Etenim, Quirites, si ea, quæ erant ad me delata, reperta non essent, tamen ego non arbitrabar in tantis rei publicæ periculis esse mihi nimiam diligentiam pertimescendam. Senatum frequentem celeriter, ut vidistis, coegi. 8. Atque interea statim admonitu Allobrogum C.
15 Sulpicium prætorem, fortem virum, misi, qui ex ædibus Cethegi, si quid telorum esset, efferret; ex quibus ille maximum sicarum numerum et gladiorum extulit.

IV. Introduxi Volturcium sine Gallis: fidem ei publicam jussu senatus dedi; hortatus sum, ut ea, quæ sciret, sine
20 metu indicaret. Tum ille dixit, quum vix se ex magno timore recreasset, a P. Lentulo se habere ad Catilinam mandata et literas, ut servorum præsidio uteretur et ad urbem quam primum cum exercitu accederet: id autem eo consilio, ut, quum urbem ex omnibus partibus, quemadmodum de-
25 scriptum distributumque erat, incendissent cædemque infinitam civium fecissent, 'præsto esset ille, qui et fugientes exciperet et se cum his urbanis ducibus conjungeret.' 9. Introducti autem Galli jus jurandum sibi et literas a Lentulo, Cethego, Statilio ad suam gentem datas esse dixerunt, atque
30 ita sibi ab his et a L. Cassio esse præscriptum, ut equitatum in Italiam quam primum mitterent: pedestres sibi copias non defuturas; Lentulum autem sibi confirmasse ex fatis Sibyllinis haruspicumque responsis esse se tertium illum Cornelium, ad quem regnum hujus urbis atque imperium
35 pervenire esset necesse; Cinnam ante se et Sullam fuisse; eundemque dixisse fatalem hunc esse annum ad interitum hujus urbis atque imperii, qui esset decimus annus post Virginum absolutionem, post Capitolii autem incensionem vicesimus. 10. Hanc autem Cethego cum ceteris contro-
40 versiam fuisse dixerunt, quod Lentulo et aliis cædem Saturnalibus fieri atque urbem incendi placeret, Cethego nimium id longum videretur.

V. Ac, ne longum sit, Quirites, tabellas proferri jussimus, quæ a quoque dicebantur datæ. Primum ostendimus Ce-

thego signum; cognovit. Nos linum incidimus; legimus. Erat scriptum ipsius manu Allobrogum senatui et populo, sese, quæ eorum legatis confirmasset, facturum esse: orare, ut item illi facerent, quæ sibi eorum legati recepissent. Tum Cethegus, qui paullo ante aliquid tamen de gladiis ac 5 sicis, quæ apud ipsum erant deprehensæ, respondisset dixissetque se semper bonorum ferramentorum studiosum fuisse, recitatis literis debilitatus atque abjectus, conscientia convictus, repente conticuit. Introductus est Statilius; cognovit et signum et manum suam. Recitatæ sunt tabellæ 10 in eandem fere sententiam: confessus est. Tum ostendi tabellas Lentulo et quæsivi, cognosceretne signum. Annuit. "Est vero, inquam, notum signum, imago avi tui, clarissimi viri, qui amavit unice patriam et cives suos: quæ quidem te a tanto scelere etiam muta revocare debuit." 11. 15 Leguntur eadem ratione ad senatum Allobrogum populumque literæ. Si quid de his rebus dicere vellet, feci potestatem. Atque ille primo quidem negavit; post autem aliquanto, toto jam indicio exposito atque edito, surrexit; quæsivit a Gallis, quid sibi esset cum iis; quamobrem do- 20 mum suam venissent; itemque a Volturcio. Qui quum illi breviter constanterque respondissent, per quem ad eum quotiensque venissent, quæsissentque ab eo, nihilne secum esset de fatis Sibyllinis locutus, tum ille subito scelere demens, quanta conscientiæ vis esset, ostendit. Nam, quum 25 id posset infitiari, repente præter opinionem omnium confessus est. Ita eum non modo ingenium illud et dicendi exercitatio, qua semper valuit, sed etiam propter vim sceleris manifesti atque deprehensi, impudentia, qua superabat omnes, improbitasque defecit. 12. Volturcius vero subito 30 literas proferri atque aperiri jussit, quas sibi a Lentulo ad Catilinam datas esse dicebat. Atque ibi vehementissime perturbatus Lentulus, tamen et signum et manum suam cognovit. Erant autem scriptæ sine nomine, sed ita: "*Qui sim, scies ex eo, quem ad te misi. Cura, ut vir sis, et cogita* 35 *quem in locum sis progressus, et vide, quid jam tibi sit necesse. Et cura, ut omnium tibi auxilia adjungas, etiam infimorum*." Gabinius deinde introductus, quum primo impudenter respondere cœpisset, ad extremum nihil ex iis, quæ Galli insimulabant, negavit. 13. Ac mihi quidem, 40 Quirites, quum illa certissima sunt visa argumenta atque indicia sceleris, tabellæ, signa, manus, denique unius cujusque confessio, tum multo certiora illa, color, oculi, vultus, taciturnitas. Sic enim obstupuerant, sic terram intuebantur,

sic furtim nonnunquam inter se adspiciebant, ut non jam ab aliis indicari, sed ipsi a se viderentur.

VI. Indiciis expositis atque editis, Quirites, senatum consului, de summa re publica quid fieri placeret. Dictæ sunt
5 a principibus acerrimæ ac fortissimæ sententiæ, quas senatus sine ulla varietate est consecutus. Et quoniam nondum est perscriptum senatus consultum, ex memoria vobis, Quirites, quid senatus censuerit, exponam. 14. Primum mihi gratiæ verbis amplissimis aguntur, quod virtute, consilio,
10 providentia mea res publica maximis periculis sit liberata; deinde L. Flaccus et C. Pomptinus, prætores, quod eorum opera forti fidelique usus essem, merito ac jure laudantur: atque etiam viro forti, collegæ meo, laus impertitur, quod eos, qui hujus conjurationis participes fuissent, a suis et rei
15 publicæ consiliis removisset. Atque ita censuerunt, ut P. Lentulus, quum se prætura abdicasset, in custodiam traderetur: atque idem hoc decretum est in L. Cassium, qui sibi procurationem incendendæ urbis depoposcerat: in M. Cæparium, cui ad sollicitandos pastores Apuliam esse attribu-
20 tam erat indicatum: in P. Furium, qui est ex iis colonis, quos Fæsulas L. Sulla deduxit: in Q. Manlium Chilonem, qui una cum hoc Furio semper erat in hac Allobrogum sollicitatione versatus: in P. Umbrenum, libertinum hominem, a quo primum Gallos ad Gabinium perductos esse
25 constabat. 15. Atque ea lenitate senatus usus est, Quirites, ut ex tanta conjuratione tantaque vi ac multitudine domesticorum hostium novem hominum perditissimorum pœna, re publica conservata reliquorum mentes sanari posse arbitraretur. Atque etiam supplicatio diis immortalibus pro
30 singulari eorum merito meo nomine decreta est, Quirites; quod mihi primum post hanc urbem conditam togato contigit: et his decreta verbis est, QUOD URBEM INCENDIIS, CÆDE CIVES, ITALIAM BELLO LIBERASSEM. Quæ supplicatio si cum ceteris supplicationibus conferatur, Quirites, hoc
35 intersit, quod ceteræ bene gesta, hæc una conservata re publica constituta est. Atque illud, quod faciendum primum fuit, factum atque transactum est. Nam P. Lentulus, quamquam patefactus indiciis et confessionibus suis, judicio senatus non modo prætoris jus, verum etiam civis amiserat,
40 tamen magistratu se abdicavit: ut, quæ religio C. Mario, clarissimo viro, non fuerat, quo minus C. Glauciam, de quo nihil nominatim erat decretum, prætorem occideret, ea nos religione in privato P. Lentulo puniendo liberaremur.

VII. 16. Nunc, quoniam, Quirites, sceleratissimi peri-

culosissimique belli nefarios duces captos jam et comprehensos tenetis, existimare debetis omnes Catilinæ copias, omnes spes atque opes his depulsis urbis periculis concidisse. Quem quidem ego quum ex urbe pellebam, hoc providebam animo, Quirites, remoto Catilina non mihi esse 5 P. Lentuli somnum, nec L. Cassii adipes, nec C. Cethegi furiosam temeritatem pertimescendam. Ille erat unus timendus ex his omnibus, sed tamdiu, dum mœnibus urbis continebatur. Omnia* norat, omnium aditus tenebat; appellare, tentare, sollicitare poterat, audebat; erat ei consi- 10 lium ad facinus aptum; consilio autem neque lingua neque manus deerat; jam ad certas res conficiendas certos homines delectos ac descriptos habebat; neque vero, quum aliquid mandaverat, confectum putabat. Nihil erat, quod non ipse obiret, occurreret, vigilaret, laboraret; frigus, sitim, famem ferre 15 poterat. 17. Hunc ego hominem tam acrem, tam paratum, tam audacem, tam callidum, tam in scelere vigilantem, tam in perditis rebus diligentem, nisi ex domesticis insidiis in castrense latrocinium compulissem (dicam id, quod sentio, Quirites), non facile hanc tantam molem mali a cervicibus ves- 20 tris depulissem. Non ille nobis Saturnalia constituisset, neque tanto ante exitii ac fati diem rei publicæ denuntiavisset nec commisisset, ut signum, ut literæ suæ testes manifesti sceleris deprehenderentur. Quæ nunc illo absente sic gesta sunt, ut nullum in privata domo furtum unquam sit tam palam 25 inventum, quam hæc in tota re publica conjuratio manifesto inventa atque deprehensa est. Quod si Catilina in urbe ad hanc diem remansisset, quamquam, quoad fuit, omnibus ejus consiliis occurri atque obstiti, tamen, ut levissime dicam, dimicandum nobis cum illo fuisset, neque nos unquam, 30 quum ille in urbe hostis esset, tantis periculis rem publicam tanta pace, tanto otio, tanto silentio liberassemus.

VIII. 18. Quamquam hæc omnia, Quirites, ita sunt a me administrata, ut deorum immortalium nutu atque consilio et gesta et provisa esse videantur. Idque quum conjectura 35 consequi possumus, quod vix videtur humani consilii tantarum rerum gubernatio esse potuisse, tum vero ita præsentes his temporibus opem et auxilium nobis tulerunt, ut eos pæne oculis videre possemus. Nam, ut illa omittam, visas nocturno tempore ab occidente faces ardoremque cœli, ut 40 fulminum jactus, ut terræ motus ceteraque, quæ tam multa nobis consulibus facta sunt, ut hæc, quæ nunc fiunt, canere dii immortales viderentur: hoc certe, Quirites, quod sum dicturus, neque prætermittendum neque relinquendum est.

* from Nosco.

19. Nam profecto memoria tenetis Cotta et Torquato consulibus complures in Capitolio res de cœlo esse percussas, quum et simulacra deorum immortalium depulsa sunt et statuæ veterum hominum dejectæ et legum æra liquefacta;
5 tactus est etiam ille, qui hanc urbem condidit, Romulus, quem inauratum in Capitolio parvum atque lactentem, uberibus lupinis inhiantem fuisse meministis. Quo quidem tempore quum haruspices ex tota Etruria convenissent, cædes atque incendia et legum interitum et bellum civile ac
10 domesticum et totius urbis atque imperii occasum appropinquare dixerunt, nisi dii immortales omni ratione placati suo numine prope fata ipsa flexissent. 20. Itaque illorum responsis tunc et ludi per decem dies facti sunt, neque res ulla, quæ ad placandos deos pertineret, prætermissa est:
15 iidemque jusserunt simulacrum Jovis facere majus et in excelso collocare et contra, atque ante fuerat, ad orientem convertere: ac se sperare dixerunt, si illud signum, quod videtis, solis ortum et forum curiamque conspiceret, fore, ut ea consilia, quæ clam essent inita contra salutem urbis
20 atque imperii, illustrarentur, ut a senatu populoque Romano perspici possent. Atque illud signum ita collocandum consules illi locaverunt, sed tanta fuit operis tarditas, ut neque a superioribus consulibus neque a nobis ante hodiernum diem collocaretur.

25 IX. 21. Hic quis potest esse, Quirites, tam aversus a vero, tam præceps, tam mente captus, qui neget hæc omnia, quæ videmus, præcipueque hanc urbem deorum immortalium nutu ac potestate administrari? Etenim quum esset ita responsum, cædes, incendia interitumque rei publicæ
30 comparari, et ea per cives, quæ tum propter magnitudinem scelerum nonnullis incredibilia videbantur, ea non modo cogitata a nefariis civibus, verum etiam suscepta esse sensistis. Illud vero nonne ita præsens est, ut nutu Jovis Optimi Maximi factum esse videatur, ut, quum hodierno die
35 mane per forum meo jussu et conjurati et eorum indices in ædem Concordiæ ducerentur, eo ipso tempore signum statueretur? Quo collocato atque ad vos senatumque converso, omnia et senatus et vos, quæ erant contra salutem omnium cogitata, illustrata et patefacta vidistis. 22. Quo etiam
40 majore sunt isti odio supplicioque digni, qui non solum vestris domiciliis atque tectis, sed etiam deorum templis atque delubris sunt funestos ac nefarios ignes inferre conati. Quibus ego si me restitisse dicam, nimium mihi sumam et non sim ferendus: ille, ille Juppiter restitit: ille Capitolium,

ille hæc templa, ille hanc urbem, ille vos omnes salvos esse voluit. Diis ego immortalibus ducibus hanc mentem, Quirites, voluntatemque suscepi atque ad hæc tanta indicia perveni. Jam vero illa Allobrogum sollicitatio † sic a P. Lentulo ceterisque domesticis hostibus tam dementer tanta 5 res credita et ignotis et barbaris commissæque literæ nunquam essent profecto, nisi ab diis immortalibus huic tantæ audaciæ consilium esset ereptum. Quid vero? Ut homines Galli ex civitate male pacata, quæ gens una restat, quæ bellum populo Romano facere et posse et non nolle videa- 10 tur, spem imperii ac rerum amplissimarum ultro sibi a patriciis hominibus oblatam negligerent vestramque salutem suis opibus anteponerent, id non divinitus factum esse putatis? Præsertim qui nos non pugnando, sed tacendo superare potuerunt. 15

X. 23. Quamobrem, Quirites, quoniam ad omnia pulvinaria supplicatio decreta est, celebratote illos dies cum conjugibus ac liberis vestris. Nam multi sæpe honores diis immortalibus justi habiti sunt ac debiti, sed profecto justiores nunquam. Erepti enim estis ex crudelissimo ac 20 miserrimo interitu, et erepti sine cæde, sine sanguine, sine exercitu, sine dimicatione; togati me uno togato duce et imperatore vicistis. 24. Etenim recordamini, Quirites, omnes civiles dissensiones, non solum eas, quas audistis, sed eas, quas vosmet ipsi meministis atque vidistis: L. Sulla P. 25 Sulpicium oppressit: ex urbe ejecit C. Marium, custodem hujus urbis, multosque fortes viros partim ejecit ex civitate, partim interemit. Cn. Octavius, consul, armis expulit ex urbe collegam suum; omnis hic locus acervis corporum et civium sanguine redundavit. Superavit [postea] Cinna 30 cum Mario. Tum vero clarissimis viris interfectis lumina civitatis exstincta sunt. Ultus est hujus victoriæ crudelitatem postea Sulla; ne dici quidem opus est, quanta deminutione civium et quanta calamitate rei publicæ. Dissensit M. Lepidus a clarissimo ac fortissimo viro, Q. Catulo. 35 Attulit non tam ipsius interitus rei publicæ luctum, quam ceterorum. 25. Atque illæ tamen omnes dissensiones erant ejusmodi, Quirites, quæ non ad delendam, sed ad commutandam rem publicam pertinerent; non illi nullam esse rem publicam, sed in ea, quæ esset, se esse principes, neque 40 hanc urbem conflagrare, sed se in hac urbe florere voluerunt. Atque illæ tamen omnes dissensiones, quarum nulla exitium rei publicæ quæsivit, ejusmodi fuerunt, ut non reconciliatione concordiæ, sed internecione civium dijudicatæ

sint. In hoc autem uno post hominum memoriam maximo crudelissimoque bello, quale bellum nulla unquam barbaria cum sua gente gessit, quo in bello lex hæc fuit a Lentulo, Catilina, Cethego et Cassio constituta, ut omnes, qui salva
5 urbe salvi esse possent, in hostium numero ducerentur, ita me gessi, Quirites, ut omnes salvi conservaremini; et, quum hostes vestri tantum civium superfuturum esse putassent, quantum infinitæ cædi restitisset, tantum autem urbis, quantum flamma obire non potuisset, et urbem et cives
10 integros incolumesque servavi.

XI. 26. Quibus pro tantis rebus, Quirites, nullum ego a vobis præmium virtutis, nullum insigne honoris, nullum monumentum laudis postulabo præterquam hujus diei memoriam sempiternam. In animis ego vestris omnes trium-
15 phos meos, omnia ornamenta honoris, monumenta gloriæ, laudis insignia, condi et collocari volo. Nihil me mutum potest delectare, nihil tacitum, nihil denique ejusmodi, quod etiam minus digni assequi possint. Memoria vestra, Quirites, nostræ res alentur, sermonibus crescent, literarum
20 monumentis inveterascent et corroborabuntur: eandemque diem intelligo, quam spero æternam fore et ad salutem urbis et ad memoriam consulatus mei propagatam † unoque tempore in hac re publica duos cives exstitisse, quorum alter fines vestri imperii non terræ, sed cœli regionibus
25 terminaret, alter ejusdem imperii domicilium sedemque servaret.

XII. 27. Sed, quoniam earum rerum, quas ego gessi, non eadem est fortuna atque conditio, quæ illorum, qui externa bella gesserunt: quod mihi cum iis vivendum est,
30 quos vici ac subegi, illi hostes aut interfectos aut oppressos reliquerunt: vestrum est, Quirites, si ceteris recte facta sua prosunt, mihi mea ne quando obsint, providere. Mentes enim hominum audacissimorum sceleratæ ac nefariæ ne vobis nocere possent, ego providi: ne mihi noceant, vestrum
35 est providere. Quamquam, Quirites, mihi quidem ipsi nihil ab istis jam noceri potest. Magnum enim est in bonis præsidium, quod mihi in perpetuum comparatum est; magna in re publica dignitas, quæ me semper tacita defendet; magna vis conscientiæ, quam qui negligent, quum
40 me violare volent, se ipsi indicabunt. 28. Est etiam in nobis is animus, Quirites, ut non modo nullius audaciæ cedamus, sed etiam omnes improbos ultro semper lacessamus. Quod si omnis impetus domesticorum hostium depulsus a vobis se in me unum converterit, vobis erit viden-

dum, Quirites, qua conditione posthac eos esse velitis, qui se pro salute vestra obtulerint invidiæ periculisque omnibus. Mihi quidem ipsi quid est, quod jam ad vitæ fructum possit acquiri, præsertim quum neque in honore vestro neque in gloria virtutis quidquam videam altius, quo mihi libeat ascendere? 29. Illud perficiam profecto, Quirites, ut ea, quæ gessi in consulatu, privatus tuear atque ornem; ut, si qua est invidia in conservanda re publica suscepta, lædat invidos, mihi valeat ad gloriam. Deinde ita me in re publica tractabo, ut meminerim semper, quæ gesserim, curemque, ut ea virtute, non casu gesta esse videantur. Vos, Quirites, quoniam jam nox est, veneramini illum Jovem, custodem hujus urbis ac vestrum, atque in vestra tecta discedite: et ea, quamquam jam periculum est depulsum, tamen æque ac priore nocte custodiis vigiliisque defendite. Id ne vobis diutius faciendum sit atque ut in perpetua pace esse possitis, providebo, Quirites.

4



IN

L. CATILINAM

ORATIO QUARTA

HABITA IN SENATU.

I. 1. Video, Patres conscripti, in me omnium vestrum
ora atque oculos esse conversos. Video vos non solum de
vestro ac rei publicæ, verum etiam, si id depulsum sit, de
meo periculo esse sollicitos. Est mihi jucunda in malis et
5 grata in dolore vestra erga me voluntas: sed eam, per
deos immortales! deponite atque obliti salutis meæ de vobis
ac de vestris liberis cogitate. Mihi si hæc conditio consula-
tus data est, ut omnes acerbitates, omnes dolores crucia-
tusque perferrem, feram non solum fortiter, verum etiam
10 libenter, dummodo meis laboribus vobis populoque Romano
dignitas salusque pariatur. 2. Ego sum ille consul, Patres
conscripti, cui non forum, in quo omnis æquitas continetur,
non campus consularibus auspiciis consecratus, non curia,
summum auxilium omnium gentium, non domus, commune
15 perfugium, non lectus ad quietem datus, non denique hæc
sedes honoris, sella curulis, unquam vacua mortis periculo
atque insidiis fuit. Ego multa tacui, multa pertuli, multa
concessi, multa meo quodam dolore in vestro timore sanavi.
Nunc, si hunc exitum consulatus mei dii immortales esse
20 voluerunt, ut vos, Patres conscripti, populumque Romanum
ex cæde miserrima, conjuges liberosque vestros virginesque
Vestales ex acerbissima vexatione, templa atque delubra,
hanc pulcherrimam patriam omnium nostrum ex fœdissima
flamma, totam Italiam ex bello et vastitate eriperem, quæ-
25 cunque mihi uni proponetur fortuna, subeatur. Etenim, si
P. Lentulus suum nomen, inductus a vatibus, fatale ad
perniciem populi Romani fore putavit, cur ego non læter

meum consulatum ad salutem rei publicæ prope fatalem exstitisse?

II. 3. Quare, Patres conscripti, consulite vobis, prospicite patriæ, conservate vos, conjuges, liberos fortunasque vestras, populi Romani nomen salutemque defendite, mihi 5 parcere ac de me cogitare desinite. Nam primum debeo sperare omnes deos, qui huic urbi præsident, pro eo mihi, ac mereor, relaturos esse gratiam; deinde, si quid obtigerit, æquo animo paratoque moriar. Nam neque turpis mors forti viro potest accidere neque immatura consulari nec 10 misera sapienti. Nec tamen ego sum ille ferreus, qui fratris carissimi et amantissimi præsentis mærore non movear horumque omnium lacrimis, a quibus me circumsessum videtis. Neque meam mentem non domum sæpe revocat exanimata uxor et abjecta metu filia et parvulus filius, quem 15 mihi videtur amplecti res publica tamquam obsidem consulatus mei; neque ille, qui exspectans hujus exitum diei adstat in conspectu meo gener. Moveor his rebus omnibus, sed in eam partem, uti salvi sint vobiscum omnes, etiam si me vis aliqua oppresserit, potius quam et illi et nos una rei 20 publicæ peste pereamus. 4. Quare, Patres conscripti, incumbite ad salutem rei publicæ; circumspicite omnes procellas, quæ impendent, nisi providetis. Non Ti. Gracchus, quod iterum tribunus plebi fieri voluit, non C. Gracchus, quod agrarios concitare conatus est, non L. Saturninus, 25 quod C. Memmium occidit, in discrimen aliquod atque in vestræ severitatis judicium adducitur: tenentur ii, qui ad urbis incendium, ad vestram omnium cædem, ad Catilinam accipiendum Romæ restiterunt. Tenentur literæ signa manus, denique unius cujusque confessio; sollicitantur Al- 30 lobroges; servitia excitantur; Catilina arcessitur; id est initum consilium, ut interfectis omnibus nemo ne ad deplorandum quidem populi Romani nomen atque ad lamentandam tanti imperii calamitatem relinquatur.

III. 5. Hæc omnia indices detulerunt, rei confessi sunt; 35 vos multis jam judiciis judicastis: primum, quod mihi gratias egistis singularibus verbis, et mea virtute atque diligentia perditorum hominum conjurationem patefactam esse decrevistis: deinde quod P. Lentulum, ut se abdicaret prætura, coegistis; tum quod eum et ceteros, de quibus 40 judicastis, in custodiam dandos censuistis, maximeque, quod meo nomine supplicationem decrevistis, qui honos togato habitus ante me est nemini; postremo hesterno die præmia legatis Allobrogum Titoque Volturcio dedistis amplissima.

Quæ sunt omnia ejusmodi, ut ii, qui in custodiam nominatim dati sunt, sine ulla dubitatione a vobis damnati esse videantur.

6. Sed ego institui referre ad vos, Patres conscripti, 5 tamquam integrum et de facto, quid judicetis, et de pœna, quid censeatis. Illa prædicam, quæ sunt consulis. Ego magnum in re publica versari furorem et nova quædam misceri et concitari mala jampridem videbam; sed hanc tantam, tam exitiosam haberi conjurationem a civibus nun- 10 quam putavi. Nunc, quidquid est, quocunque vestræ mentes inclinant atque sententiæ, statuendum vobis ante noctem est. Quantum facinus ad vos delatum sit, videtis. Huic si paucos putatis affines esse, vehementer erratis. Latius opinione disseminatum est hoc malum; manavit non solum 15 per Italiam, verum etiam transcendit Alpes et obscure serpens multas jam provincias occupavit. Id opprimi sustentando ac prolatando nullo pacto potest. Quacunque ratione placet, celeriter vobis vindicandum est.

IV. 7. Video duas adhuc esse sententias: unam D. 20 Silani, qui censet, eos, qui hæc delere conati sunt, morte esse multandos; alteram C. Cæsaris, qui mortis pœnam removet, ceterorum suppliciorum omnes acerbitates amplectitur. Uterque et pro sui dignitate et pro rerum magnitudine in summa severitate versatur. Alter eos, qui 25 nos omnes, qui populum Romanum vitâ privare conati sunt, qui delere imperium, qui populi Romani nomen exstinguere, punctum temporis frui vita et hoc communi spiritu non putat oportere, atque hoc genus pœnæ sæpe in improbos cives in hac re publica esse usurpatum recordatur. Alter 30 intelligit mortem a diis immortalibus non esse supplicii causa constitutam, sed aut necessitatem naturæ aut laborum ac miseriarum quietem esse. Itaque eam sapientes nunquam inviti, fortes sæpe etiam libenter appetiverunt. Vincula vero, et ea sempiterna, certe ad singularem pœnam nefarii 35 sceleris inventa sunt. Municipiis dispertiri jubet. Habere videtur ista res iniquitatem, si imperare velis, difficultatem, si rogare. Decernatur tamen, si placet. 8. Ego enim suscipiam et, ut spero, reperiam, qui id, quod salutis omnium causa statueritis, non putet esse suæ dignitatis recusare. 40 Adjungit gravem pœnam municipiis, si quis eorum vincula ruperit; horribiles custodias circumdat et digna scelere hominum perditorum sancit, ne quis eorum pœnam, quos condemnat, aut per senatum aut per populum levare possit; eripit etiam spem, quæ sola homines in miseriis consolari

solet. Bona præterea publicari jubet: vitam solam relinquit nefariis hominibus; quam si eripuisset, multos uno dolore animi atque corporis et omnes scelerum pœnas ademisset. Itaque ut aliqua in vita formido improbis esset posita, apud inferos ejusmodi quædam illi antiqui supplicia 5 impiis constituta esse voluerunt; quod videlicet intelligebant his remotis non esse mortem ipsam pertimescendam.

V. 9. Nunc, Patres conscripti, ego mea video quid intersit. Si eritis secuti sententiam C. Cæsaris, quoniam hanc is in re publica viam, quæ popularis habetur, secutus 10 est, fortasse minus erunt hoc auctore et cognitore hujusce sententiæ mihi populares impetus pertimescendi: sin illam alteram, nescio, an amplius mihi negotii contrahatur. Sed tamen meorum periculorum rationes utilitas rei publicæ vincat. Habemus enim a C. Cæsare, sicut ipsius dignitas 15 et majorum ejus amplitudo postulabat, sententiam tamquam obsidem perpetuæ in rem publicam voluntatis. Intellectum est, quid intersit inter levitatem concionatorum et animum vere popularem, saluti populi consulentem. 10. Video de istis, qui se populares haberi volunt, abesse non neminem, 20 ne de capite videlicet civium Romanorum sententiam ferat. Is et nudiustertius in custodiam cives Romanos dedit et supplicationem mihi decrevit et indices hesterno die maximis præmiis affecit. Jam hoc nemini dubium est, qui reo custodiam, quæsitori gratulationem, indici præmium decrevit, 25 quid de tota re et causa judicarit. At vero C. Cæsar intelligit legem Semproniam esse de civibus Romanis constitutam; qui autem rei publicæ sit hostis, eum civem esse nullo modo posse: denique ipsum latorem Semproniæ legis jussu populi pœnas rei publicæ dependisse. Idem ipsum 30 largitorem Lentulum et prodigum non putat, quum de pernicie populi Romani, exitio hujus urbis tam acerbe tamque crudeliter cogitarit, etiam appellari posse popularem. Itaque homo mitissimus atque lenissimus non dubitat P. Lentulum æternis tenebris vinculisque mandare et sancit 35 in posterum, ne quis hujus supplicio levando se jactare et in pernicie populi Romani posthac popularis esse possit. Adjungit etiam publicationem bonorum, ut omnes animi cruciatus et corporis etiam egestas ac mendicitas consequatur. 40

VI. 11. Quamobrem sive hoc statueritis, dederitis mihi comitem ad concionem populo carum atque jucundum; sive Silani sententiam sequi malueritis, facile me atque vos crudelitatis vituperatione populo Romano exsolvetis atque

obtinebo eam multo leniorem fuisse. Quamquam, Patres
conscripti, quæ potest esse in tanti sceleris immanitate
punienda crudelitas? Ego enim de meo sensu judico.
Nam ita mihi salva re publica vobiscum perfrui liceat, ut
5 ego, quod in hac causa vehementior sum, non atrocitate
animi moveor, (quis enim est me mitior?) sed singulari
quadam humanitate et misericordia. Videor enim mihi
videre hanc urbem, lucem orbis terrarum atque arcem
omnium gentium, subito uno incendio concidentem; cerno
10 animo sepultam patriam, miseros atque insepultos acervos
civium; versatur mihi ante oculos adspectus Cethegi et
furor in vestra cæde bacchantis. 12. Quum vero mihi
proposui regnantem Lentulum, sicut ipse se ex fatis spe-
rasse confessus est, purpuratum esse huic Gabinium, cum
15 exercitu venisse Catilinam, tum lamentationem matrum-
familias, tum fugam virginum atque puerorum ac vexationem
virginum Vestalium perhorresco: et, quia mihi vehementer
hæc videntur misera atque miseranda, idcirco in eos, qui ea
perficere voluerunt, me severum vehementemque præbebo.
20 Etenim quæro, si quis paterfamilias liberis suis a servo
interfectis, uxore occisa, incensa domo supplicium de servis
quam acerbissimum sumpserit, utrum is clemens ac mise-
ricors, an inhumanissimus et crudelissimus esse videatur?
Mihi vero importunus ac ferreus, qui non dolore ac cruciatu
25 nocentis suum dolorem cruciatumque lenierit. Sic nos in
his hominibus, qui nos, qui conjuges, qui liberos nostros
trucidare voluerunt, qui singulas unius cujusque nostrum
domos et hoc universum rei publicæ domicilium delere
conati sunt, qui id egerunt, ut gentem Allobrogum in
30 vestigiis hujus urbis atque in cinere deflagrati imperii collo-
carent, si vehementissimi fuerimus, misericordes habebimur;
sin remissiores esse voluerimus, summæ nobis crudelitatis
in patriæ civiumque pernicie fama subeunda est. 13. Nisi
vero cuipiam L. Cæsar, vir fortissimus et amantissimus rei
35 publicæ, crudelior nudiustertius visus est, quum sororis
suæ, feminæ lectissimæ, virum præsentem et audientem
vita privandum esse dixit, quum avum jussu consulis inter-
fectum filiumque ejus impuberem, legatum a patre missum,
in carcere necatum esse dixit. Quorum quod simile factum?
40 quod initum delendæ rei publicæ consilium? Largitionis
voluntas tum in re publica versata est et partium quædam
contentio. Atque illo tempore hujus avus Lentuli, clarissi-
mus vir, armatus Gracchum est persecutus: ille etiam
grave tum vulnus accepit, ne quid de summa re publica

minueretur: hic ad evertenda fundamenta rei publicæ Gallos arcessit, servitia concitat, Catilinam vocat, attribuit nos trucidandos Cethego, ceteros cives interficiendos Gabinio, urbem inflammandam Cassio, totam Italiam vastandam diripiendamque Catilinæ. Vereamini, censeo, ne in hoc 5 scelere tam immani ac nefando nimis aliquid severius statuisse videamini. Multo magis est verendum, ne remissione pœnæ crudeles in patriam, quam ne severitate animadversionis nimis vehementes in acerbissimos hostes fuisse videamur. 10

VII. 14. Sed ea, quæ exaudio, Patres conscripti, dissimulare non possum. Jaciuntur enim voces, quæ perveniunt ad aures meas, eorum, qui vereri videntur, ut habeam satis præsidii ad ea, quæ vos statueritis hodierno die, transigunda. Omnia et provisa et parata et constituta sunt, 15 Patres conscripti, quum mea summa cura atque diligentia, tum multo etiam majore populi Romani ad summum imperium retinendum et ad communes fortunas conservandas voluntate. Omnes adsunt omnium ordinum homines, omnium denique ætatum; plenum est forum, plena templa 20 circum forum, pleni omnes aditus hujus templi et loci. Causa est enim post urbem conditam hæc inventa sola, in qua omnes sentirent unum atque idem præter eos, qui, quum sibi viderent esse pereundum, cum omnibus potius quam soli perire voluerunt. 15. Hosce ego homines excipio 25 et secerno libenter neque in improborum civium, sed in acerbissimorum hostium numero habendos puto. Ceteri vero, dii immortales! qua frequentia, quo studio, qua virtute ad communem salutem dignitatemque consentiunt? Quid ego hic equites Romanos commemorem? qui vobis 30 ita summam ordinis consiliique concedunt, ut vobiscum de amore rei publicæ certent; quos ex multorum annorum dissensione hujus ordinis ad societatem concordiamque revocatos hodiernus dies vobiscum atque hæc causa conjungit; quam si conjunctionem in consulatu confirmatam meo 35 perpetuam in re publica tenuerimus, confirmo vobis nullum posthac malum civile ac domesticum ad ullam rei publicæ partem esse venturum. Pari studio defendendæ rei publicæ convenisse video tribunos ærarios, fortissimos viros; scribas item universos; quos quum casu hic dies ad ærarium fre- 40 quentasset, video ab exspectatione sortis ad salutem communem esse conversos. 16. Omnis ingenuorum adest multitudo, etiam tenuissimorum. Quis est enim, cui non hæc templa, adspectus urbis, possessio libertatis, lux denique

hæc ipsa et hoc commune patriæ solum quum sit carum,
tum vero dulce atque jucundum?

VIII. Operæ pretium est, Patres conscripti, libertinorum
hominum studia cognoscere; qui sua virtute fortunam hujus
5 civitatis consecuti vere hanc suam patriam esse judicant,
quam quidam hic nati et summo nati loco non patriam
suam, sed urbem hostium esse judicaverunt. Sed quid ego
hujusce ordinis homines commemoro, quos privatæ fortunæ,
quos communis res publica, quos denique libertas, ea, quæ
10 dulcissima est, ad salutem patriæ defendendam excitavit?
Servus est nemo, qui modo tolerabili conditione sit servitutis,
qui non audaciam civium perhorrescat; qui non hæc stare cu-
piat; qui non quantum audet et quantum potest conferat ad
communem salutem voluntatis. 17. Quare si quem vestrum
15 forte commovet hoc, quod auditum est lenonem quendam Len-
tuli concursare circum tabernas, pretio sperare sollicitari posse
animos egentium atque imperitorum, est id quidem cœptum
atque tentatum; sed nulli sunt inventi tam aut fortuna miseri
aut voluntate perditi, qui non illum ipsum sellæ atque operis
20 et quæstus quotidiani locum, qui non cubile ac lectulum
suum, qui denique non cursum hunc otiosum vitæ suæ salvum
esse velint. Multo vero maxima pars eorum, qui in tabernis
sunt, nisi vero (id enim potius est dicendum) genus hoc
universum amantissimum est otii. Etenim omne instrumen-
25 tum, omnis opera atque quæstus frequentia civium susten-
tatur, alitur otio: quorum si quæstus occlusis tabernis
minui solet, quid tandem incensis futurum fuit?

IX. 18. Quæ quum ita sint, Patres conscripti, vobis
populi Romani præsidia non desunt: vos ne populo Romano
30 deesse videamini, providete. Habetis consulem ex plurimis
periculis et insidiis atque ex media morte non ad vitam
suam, sed ad salutem vestram reservatum; omnes ordines
ad conservandam rem publicam mente, voluntate, studio,
virtute, voce consentiunt; obsessa facibus et telis impiæ
35 conjurationis vobis supplex manus tendit patria communis;
vobis se, vobis vitam omnium civium, vobis arcem et Capi-
tolium, vobis aras Penatium, vobis ignem illum Vestæ
sempiternum, vobis omnia deorum templa atque delubra,
vobis muros et urbis tecta commendat. Præterea de vestra
40 vita, de conjugum vestrarum atque liberorum anima, de
fortunis omnium, de sedibus, de focis vestris hodierno die
vobis judicandum est. 19. Habetis ducem memorem
vestri, oblitum sui, quæ non semper facultas datur; habetis
omnes ordines, omnes homines, universum populum Roma-

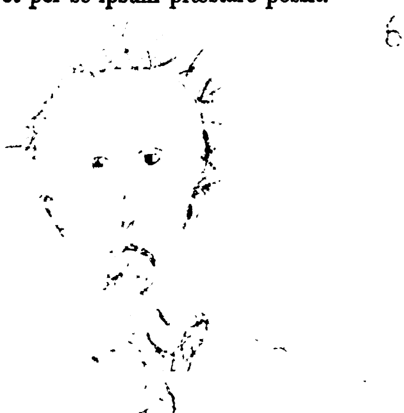
num, id quod in civili causa hodierno die primum videmus,
unum atque idem sentientem. Cogitate, quantis laboribus
fundatum imperium, quanta virtute stabilitam libertatem,
quanta deorum benignitate auctas exaggeratasque fortunas
una nox pæne delerit. Id ne unquam posthac non modo 5
confici, sed ne cogitari quidem possit a civibus, hodierno
die providendum est. Atque hæc, non ut vos, qui mihi
studio pæne præcurritis, excitarem, locutus sum, sed ut
mea vox, quæ debet esse in re publica princeps, officio
functa consulari videretur. 10

X. 20. Nunc antequam, [Patres conscripti], ad senten-
tiam redeo, de me pauca dicam. Ego, quanta manus est
conjuratorum, quam videtis esse permagnam, tantam me
inimicorum multitudinem suscepisse video, sed eam esse
turpem judico, infirmam et abjectam. Quod si aliquando 15
alicujus furore et scelere concitata manus ista plus valuerit
quam vestra ac rei publicæ dignitas, me tamen meorum
factorum atque consiliorum nunquam, Patres conscripti,
pœnitebit. Etenim mors, quam mihi illi fortasse minitantur,
omnibus est parata: vitæ tantam laudem, quanta vos me 20
vestris decretis honestastis, nemo est assecutus. Ceteris
enim bene gesta, mihi uni conservata re publica gratula-
tionem decrevistis. 21. Sit Scipio clarus ille, cujus consilio
atque virtute Hannibal in Africam redire atque Italia dece-
dere coactus est; ornetur alter eximia laude Africanus, qui 25
duas urbes huic imperio infestissimas Karthaginem Numan-
tiamque delevit; habeatur vir egregius Paullus ille, cujus
currum rex potentissimus quondam et nobilissimus Perses
honestavit; sit æterna gloria Marius, qui bis Italiam obsi-
dione et metu servitutis liberavit; anteponatur omnibus 30
Pompeius, cujus res gestæ atque virtutes iisdem, quibus
solis cursus, regionibus ac terminis continentur: erit profecto
inter horum laudes aliquid loci nostræ gloriæ; nisi forte
majus est patefacere nobis provincias, quo exire possimus,
quam curare, ut etiam illi, qui absunt, habeant, quo victores 35
revertantur. 22. Quamquam est uno loco conditio melior
externæ victoriæ quam domesticæ, quod hostes alienigenæ
aut oppressi serviunt aut recepti beneficio se obligatos pu-
tant: qui autem ex numero civium dementia aliqua depra-
vati hostes patriæ semel esse cœperunt, eos, quum a perni- 40
cie rei publicæ reppuleris, nec vi coercere nec beneficio
placare possis; quare mihi cum perditis civibus æternum
bellum susceptum esse video. Id ego vestro bonorumque
omnium auxilio memoriaque tantorum periculorum, quæ

non modo in hoc populo, qui servatus est, sed [etiam] in omnium gentium sermonibus ac mentibus semper hærebit, a me atque a meis facile propulsari posse confido. Neque ulla profecto tanta vis reperietur, quæ conjunctionem ve-
5 stram equitumque Romanorum et tantam conspirationem bonorum omnium confringere et labefactare possit.

XI. 23. Quæ quum ita sint, Patres conscripti, pro imperio, pro exercitu, pro provincia, quam neglexi, pro triumpho ceterisque laudis insignibus, quæ sunt a me propter urbis
10 vestræque salutis custodiam repudiata, pro clientelis hospitiisque provincialibus, quæ tamen urbanis opibus non minore labore tueor, quam comparo: pro his igitur omnibus rebus, pro meis in vos singularibus studiis, proque hac, quam conspicitis, ad conservandam rem publicam diligentia nihil
15 a vobis nisi hujus temporis totiusque mei consulatus memoriam postulo, quæ dum erit in vestris fixa mentibus, tutissimo me muro sæptum esse arbitrabor. Quod si meam spem vis improborum fefellerit atque superaverit, commendo vobis parvum meum filium; cui profecto satis erit præsidii
20 non solum ad salutem, verum etiam ad dignitatem, si ejus, qui hæc omnia suo solius periculo conservaverit, illum filium esse memineritis. 24. Quapropter de summa salute vestra populique Romani, Patres conscripti, de vestris conjugibus ac liberis, de aris ac focis, de fanis atque templis, de totius
25 urbis tectis ac sedibus, de imperio ac libertate, de salute Italiæ, de universa re publica decernite diligenter, ut instituistis, ac fortiter. Habetis eum consulem, qui et parere vestris decretis non dubitet et ea, quæ statueritis, quoad vivet, defendere et per se ipsum præstare possit.

CATILINA



ORATIO

DE

IMPERIO CN. POMPEII

SIVE

PRO LEGE MANILIA.

I. 1. Quamquam mihi semper frequens conspectus vester multo jucundissimus, hic autem locus ad agendum amplissimus, ad dicendum ornatissimus est visus, Quirites; tamen hoc aditu laudis, qui semper optimo cuique maxime patuit, non mea me voluntas adhuc, sed vitæ meæ rationes ab ineunte ætate susceptæ prohibuerunt. Nam, 5
quum antea per ætatem nondum hujus auctoritatem loci attingere auderem statueremque nihil huc nisi perfectum ingenio, elaboratum industria afferri oportere, omne meum tempus amicorum temporibus transmittendum putavi. 2. 10
Ita neque hic locus vacuus unquam fuit ab iis, qui vestram causam defenderent, et meus labor in privatorum periculis caste integreque versatus ex vestro judicio fructum est amplissimum consecutus. Nam quum propter dilationem comitiorum ter prætor primus centuriis cunctis renuntiatus 15
sum, facile intellexi, Quirites, et quid de me judicaretis et quid aliis præscriberetis. Nunc quum et auctoritatis in me tantum sit, quantum vos honoribus mandandis esse voluistis, et ad agendum facultatis tantum, quantum homini vigilanti ex forensi usu prope quotidiana dicendi exercitatio potuit 20
afferre; certe et si quid auctoritatis in me est, [ea] apud eos utar, qui eam mihi dederunt; et si quid in dicendo consequi possum, iis ostendam potissimum, qui ei quoque rei fructum suo judicio tribuendum esse censuerunt. 3.
Atque illud in primis mihi lætandum jure esse video, quod 25
in hac insolita mihi ex hoc loco ratione dicendi causa talis oblata est, in qua oratio deesse nemini possit. Dicendum

est enim de Cn. Pompeii singulari eximiaque virtute; hujus autem orationis difficilius est exitum quam principium invenire. Ita mihi non tam copia, quam modus in dicendo quærendus est.

II. 4. Atque, ut inde oratio mea proficiscatur, unde hæc omnis causa ducitur, bellum grave et periculosum vestris vectigalibus ac sociis a duobus potentissimis regibus infertur, Mithridate et Tigrane; quorum alter relictus, alter lacessitus, occasionem sibi ad occupandam Asiam oblatam 10 esse arbitrantur. Equitibus Romanis, honestissimis viris, afferuntur ex Asia quotidie literæ, quorum magnæ res aguntur in vestris vectigalibus exercendis occupatæ; qui ad me pro necessitudine, quæ mihi est cum illo ordine, causam rei publicæ periculaque rerum suarum detulerunt): 15 5. "Bithyniæ, quæ nunc vestra provincia est, vicos exustos esse complures; regnum Ariobarzanis, quod finitimum est vestris vectigalibus, totum esse in hostium potestate; Lucullum magnis rebus gestis ab eo bello discedere; huic qui successerit, non satis esse paratum ad tantum bellum admi-20 nistrandum; unum ab omnibus sociis et civibus ad id bellum imperatorem deposci atque expeti; eundem hunc unum ab hostibus metui, præterea neminem."

6. Causa quæ sit, videtis: nunc quid agendum sit, considerate. Primum mihi videtur de genere belli, deinde de 25 magnitudine, tum de imperatore deligendo esse dicendum. Genus est enim belli ejusmodi, quod maxime vestros animos excitare atque inflammare ad persequendi studium debeat; in quo agitur populi Romani gloria, quæ vobis a majoribus quum magna in omnibus rebus, tum summa in re militari 30 tradita est; agitur salus sociorum atque amicorum, pro qua multa majores vestri magna et gravia bella gesserunt; aguntur certissima populi Romani vectigalia et maxima, quibus amissis et pacis ornamenta et subsidia belli requiretis; aguntur bona multorum civium, quibus est a vobis et 35 ipsorum et rei publicæ causa consulendum.

III. 7. Et quoniam semper appetentes gloriæ præter ceteras gentes atque avidi laudis fuistis, delenda vobis est illa macula Mithridatico bello superiore concepta: quæ penitus jam insedit ac nimis inveteravit in populi Romani 40 nomine: quod is, qui uno die, tota Asia, tot in civitatibus, uno nuntio atque una significatione literarum cives Romanos necandos trucidandosque denotavit, non modo adhuc pœnam nullam suo dignam scelere suscepit, sed ab illo tempore annum jam tertium et vicesimum regnat, et ita regnat, ut

se non Ponto neque Cappadociæ latebris occultare velit, sed emergere e patrio regno atque in vestris vectigalibus, hoc est, in Asiæ luce versari. 8. Etenim adhuc ita nostri cum illo rege contenderunt imperatores, ut ab illo insignia victoriæ, non victoriam reportarent. Triumphavit L. Sulla, 5 triumphavit L. Murena de Mithridate, duo fortissimi viri et summi imperatores, sed ita triumpharunt, ut ille pulsus superatusque regnaret. Verumtamen illis imperatoribus laus est tribuenda, quod egerunt, venia danda, quod reliquerunt; propterea quod ab eo bello Sullam in Italiam res- 10 publica, Murenam Sulla revocavit.

IV. 9. Mithridates autem omne reliquum tempus non ad oblivionem veteris belli, sed ad comparationem novi contulit: qui posteaquam maximas ædificasset ornassetque classes, exercitusque permagnos, quibuscunque ex gentibus 15 potuisset, comparasset et se Bosporanis, finitimis suis, bellum inferre simularet, usque in Hispaniam legatos ac literas misit ad eos duces, quibuscum tum bellum gerebamus, ut, quum duobus in locis disjunctissimis maximeque diversis uno consilio a binis hostium copiis bellum terra marique 20 gereretur, vos ancipiti contentione districti de imperio dimicaretis. 10. Sed tamen alterius partis periculum, Sertorianæ atque Hispaniensis, quæ multo plus firmamenti ac roboris habebat, Cn. Pompeii divino consilio ac singulari virtute depulsum est; in altera parte ita res a L. Lucullo, summo 25 viro, est administrata, ut initia illa rerum gestarum magna atque præclara non felicitati ejus, sed virtuti, hæc autem extrema, quæ nuper acciderunt, non culpæ, sed fortunæ tribuenda esse videantur. Sed de Lucullo dicam alio loco, et ita dicam, Quirites, ut neque vera laus ei detracta oratione 30 nostra neque falsa afficta esse videatur. 11. De vestri imperii dignitate atque gloria, quoniam is est exorsus orationis meæ, videte, quem vobis animum suscipiendum putetis.

V. Majores nostri sæpe mercatoribus aut naviculariis 35 injuriosius tractatis bella gesserunt: vos tot milibus civium Romanorum uno nuntio atque uno tempore necatis quo tandem animo esse debetis? Legati quod erant appellati superbius, Corinthum patres vestri, totius Græciæ lumen exstinctum esse voluerunt: vos eum regem inultum esse 40 patiemini, qui legatum populi Romani consularem vinculis ac verberibus atque omni supplicio excruciatum necavit? Illi libertatem civium Romanorum imminutam non tulerunt; vos vitam ereptam negligetis? Jus legationis verbo viola-

tum illi persecuti sunt; vos legatum omni supplicio interfectum relinquetis? 12. Videte, ne, ut illis pulcherrimum fuit tantam vobis imperii gloriam tradere, sic vobis turpissimum sit, id, quod accepistis, tueri et conservare non
5 posse.

Quid, quod salus sociorum summum in periculum ac discrimen vocatur quo tandem animo ferre debetis? Regno est expulsus Ariobarzanes rex, socius populi Romani atque amicus; imminent duo reges toti Asiæ non solum vobis
10 inimicissimi, sed etiam vestris sociis atque amicis; civitates autem omnes cuncta Asia atque Græcia vestrum auxilium exspectare propter periculi magnitudinem coguntur; imperatorem a vobis certum deposcere, quum præsertim vos alium miseritis, neque audent neque se id facere sine summo
15 periculo posse arbitrantur. 13. Vident et sentiunt hoc idem, quod vos, unum virum esse, in quo summa sint omnia, et eum propter esse, quo etiam carent ægrius: cujus adventu ipso atque nomine, tametsi ille ad maritimum bellum venerit, tamen impetus hostium repressos esse intel-
20 ligunt ac retardatos. Hi vos, quoniam libere loqui non licet, tacite rogant, ut se quoque, sicut ceterarum provinciarum socios, dignos existimetis, quorum salutem tali viro commendetis; atque hoc etiam magis, quod ceteros in provinciam ejusmodi homines cum imperio mittimus, ut, etiamsi
25 ab hoste defendant, tamen ipsorum adventus in urbes sociorum non multum ab hostili expugnatione differant. Hunc audiebant antea, nunc præsentem vident tanta temperantia, tanta mansuetudine, tanta humanitate, ut ii beatissimi esse videantur, apud quos ille diutissime commoratur.
30 VI. 14. Quare, si propter socios nulla ipsi injuria lacessiti, majores nostri cum Antiocho, cum Philippo, cum Ætolis, cum Pœnis bella gesserunt, quanto vos studio convenit injuriis provocatos sociorum salutem una cum imperii vestri dignitate defendere? præsertim quum de maximis
35 vestris vectigalibus agatur.

Nam ceterarum provinciarum vectigalia, Quirites, tanta sunt, ut iis ad ipsas provincias tutandas vix contenti esse possimus; Asia vero tam opima est ac fertilis, ut et ubertate agrorum et varietate fructuum et magnitudine pastionis
40 et multitudine earum rerum, quæ exportantur, facile omnibus terris antecellat. Itaque hæc vobis provincia, Quirites, si et belli utilitatem et pacis dignitatem retinere vultis, non modo a calamitate, sed etiam a metu calamitatis est defendenda. 15. Nam in ceteris rebus, quum venit calamitas,

tum detrimentum accipitur; at in vectigalibus non solum adventus mali, sed etiam metus ipse affert calamitatem. Nam quum hostium copiæ non longe absunt, etiam si irruptio nulla facta est, tamen pecua relinquuntur, agri cultura deseritur, mercatorum navigatio conquiescit. Ita 5 neque ex portu neque ex decumis neque ex scriptura vectigal conservari potest; quare sæpe totius anni fructus uno rumore periculi atque uno belli terrore amittitur. 16. Quo tandem igitur animo esse existimatis aut eos, qui vectigalia nobis pensitant, aut eos, qui exercent atque exigunt, quum 10 duo reges cum maximis copiis propter adsint? quum una excursio equitatus perbrevi tempore totius anni vectigal auferre possit? quum publicani familias maximas, quas in salinis habent, quas in agris, quas in portubus atque custodiis, magno periculo se habere arbitrentur? Putatisne vos 15 illis rebus frui posse, nisi eos, qui vobis fructui sunt, conservaritis, non solum (ut ante dixi) calamitate, sed etiam calamitatis formidine liberatos?

VII. 17. Ac ne illud quidem vobis negligendum est, quod mihi ego extremum proposueram, quum essem de belli 20 genere dicturus, quod ad multorum bona civium Romanorum pertinet; quorum vobis pro vestra sapientia, Quirites, habenda est ratio diligenter. Nam et publicani, homines honestissimi atque ornatissimi, suas rationes et copias in illam provinciam contulerunt; quorum ipsorum per se res 25 et fortunæ vobis curæ esse debent. Etenim si vectigalia nervos esse rei publicæ semper duximus, eum certe ordinem, qui exercet illa, firmamentum ceterorum ordinum recte esse dicemus. 18. Deinde ex ceteris ordinibus homines navi atque industrii partim ipsi in Asia negotiantur, quibus vos 30 absentibus consulere debetis, partim eorum in ea provincia pecunias magnas collocatas habent. Est igitur humanitatis vestræ magnum numerum eorum civium calamitate prohibere, sapientiæ, videre multorum civium calamitatem a re publica sejunctam esse non posse. Etenim primum illud 35 parvi refert, nos publicanis amissis vectigalia postea victoria recuperare: neque enim iisdem redimendi facultas erit propter calamitatem, neque aliis voluntas propter timorem. 19. Deinde quod nos eadem Asia atque idem iste Mithridates initio belli Asiatici docuit, certe id quidem calamitate 40 docti memoria retinere debemus: nam tum, quum in Asia res magnas permulti amiserant, scimus, Romæ solutione impedita fidem concidisse. Non enim possunt una in civitate multi rem atque fortunas amittere, ut non plures secum

in eandem trahant calamitatem. A quo periculo prohibete rem publicam et mihi credite, id quod ipsi videtis: hæc fides atque hæc ratio pecuniarum, quæ Romæ, quæ in foro versatur, implicita est cum illis pecuniis Asiaticis et cohæret;
5 ruere illa non possunt, ut hæc non eodem labefacta motu concidant. Quare videte, num dubitandum vobis sit omni studio ad id bellum incumbere, in quo gloria nominis vestri, salus sociorum, vectigalia maxima, fortunæ plurimorum civium cum re publica defenduntur.

10 VIII. 20. Quoniam de genere belli dixi, nunc de magnitudine pauca dicam. Potest hoc enim dici: belli genus esse ita necessarium, ut sit gerendum; non esse ita magnum, ut sit pertimescendum. In quo maxime laborandum est, ne forte a vobis, quæ diligentissime providenda sunt, con-
15 temnenda esse videantur. Atque ut omnes intelligant me L. Lucullo tantum impertire laudis, quantum forti viro et sapienti homini et magno imperatori debeatur, dico, ejus adventu maximas Mithridatis copias omnibus rebus ornatas atque instructas fuisse, urbemque Asiæ clarissimam nobisque
20 amicissimam Cyzicenorum obsessam esse ab ipso rege maxima multitudine et oppugnatam vehementissime, quam L. Lucullus virtute assiduitate consilio summis obsidionis periculis liberavit; 21. ab eodem imperatore classem magnam et ornatam, quæ ducibus Sertorianis ad Italiam studio atque
25 odio inflammata raperetur, superatam esse atque depressam; magnas hostium præterea copias multis prœliis esse deletas patefactumque nostris legionibus esse Pontum, qui ante populo Romano ex omni aditu clausus fuisset; Sinopen atque Amisum, quibus in oppidis erant domicilia regis,
30 omnibus rebus ornatas atque refertas ceterasque urbes Ponti et Cappadociæ permultas uno aditu adventuque esse captas; regem spoliatum regno patrio atque avito ad alios se reges atque ad alias gentes supplicem contulisse: atque hæc omnia salvis populi Romani sociis atque integris vecti-
35 galibus esse gesta. Satis opinor hoc esse laudis, atque ita, Quirites, ut hoc vos intelligatis, a nullo istorum, qui huic obtrectant legi atque causæ, L. Lucullum similiter ex hoc loco esse laudatum.

IX. 22. Requiretur fortasse nunc, quemadmodum, quum
40 hæc ita sint, reliquum possit magnum esse bellum. Cognoscite, Quirites, non enim hoc sine causa quæri videtur. Primum ex suo regno sic Mithridates profugit, ut ex eodem Ponto Medea illa quondam profugisse dicitur; quam prædicant in fuga fratris sui membra in iis locis, qua se parens

persequeretur, dissipavisse, ut eorum collectio dispersa mærorque patrius celeritatem persequendi retardaret. Sic Mithridates fugiens maximam vim auri atque argenti pulcherrimarumque rerum omnium, quas et a majoribus acceperat, et ipse bello superiore ex tota Asia direptas in suum 5 regnum congesserat, in Ponto omnem reliquit. Hæc dum nostri colligunt omnia diligentius, rex ipse e manibus effugit. Ita illum a persequendi studio mæror, hos lætitia tardavit. 23. Hunc in illo timore et fuga Tigranes, rex Armenius, excepit diffidentemque rebus suis confirmavit et afflictum 10 erexit perditumque recreavit: cujus in regnum posteaquam L. Lucullus cum exercitu venit, plures etiam gentes contra imperatorem nostrum concitatæ sunt. Erat enim metus injectus iis nationibus, quas nunquam populus Romanus neque lacessendas bello neque tentandas putavit; erat etiam 15 alia gravis atque vehemens opinio, quæ per animos gentium barbararum pervaserat, fani locupletissimi et religiosissimi diripiendi causa in eas oras nostrum esse exercitum adductum. Ita nationes multæ atque magnæ novo quodam terrore ac metu concitabantur. Noster autem exercitus, 20 tametsi urbem ex Tigrani regno ceperat et prœliis usus erat secundis, tamen nimia longinquitate locorum ac desiderio suorum commovebatur. 24. Hic jam plura non dicam. Fuit enim illud extremum, ut ex iis locis a militibus nostris reditus magis maturus quam processio longior quæreretur: 25 Mithridates autem et suam manum jam confirmarat [et eorum, qui se ex ipsius regno collegerant] et magnis adventiciis auxiliis multorum regum et nationum juvabatur. Jam hoc fere sic fieri solere accepimus, ut regum afflictæ fortunæ facile multorum opes alliciant ad misericordiam, 30 maximeque eorum, qui aut reges sunt aut vivunt in regno: ut [iis] nomen regale magnum et sanctum esse videatur. 25. Itaque tantum victus efficere potuit, quantum incolumis nunquam est ausus optare. Nam quum se in regnum suum recepisset, non fuit eo contentus, quod ei præter spem 35 acciderat, ut illam, posteaquam pulsus erat, terram unquam attingeret, sed in exercitum nostrum clarum atque victorem impetum fecit. Sinite hoc loco, Quirites, sicut poetæ solent, qui res Romanas scribunt, præterire me nostram calamitatem, quæ tanta fuit, ut eam ad aures imperatoris 40 non ex prœlio nuntius, sed ex sermone rumor afferret. 26. Hic in illo ipso malo gravissimaque belli offensione L. Lucullus, qui tamen aliqua ex parte iis incommodis mederi fortasse potuisset, vestro jussu coactus, quod imperii diu-

turnitati modum statuendum vetere exemplo putavistis, partem militum, qui jam stipendiis confecti erant, dimisit, partem Glabrioni tradidit. Multa prætereo consulto: sed ea vos conjectura perspicite, quantum illud bellum factum
5 putetis, quod conjungant reges potentissimi, renovent agitatæ nationes, suscipiant integræ gentes, novus imperator noster accipiat, vetere exercitu pulso.

X. 27. Satis mihi multa verba fecisse videor, quare esset hoc bellum genere ipso necessarium, magnitudine
10 periculosum: restat, ut de imperatore ad id bellum deligendo ac tantis rebus præficiendo dicendum esse videatur. Utinam, Quirites, virorum fortium atque innocentium copiam tantam haberetis, ut hæc vobis deliberatio difficilis esset, quemnam potissimum tantis rebus ac tanto bello præfici-
15 endum putaretis. Nunc vero quum sit unus Cn. Pompeius, qui non modo eorum hominum, qui nunc sunt, gloriam, sed etiam antiquitatis memoriam virtute superarit, quæ res est, quæ cujusquam animum in hac causa dubium facere possit? 28. Ego enim sic existimo, in summo imperatore quattuor
20 has res inesse oportere, scientiam rei militaris, virtutem, auctoritatem, felicitatem. Quis igitur hoc homine scientior unquam aut fuit aut esse debuit? qui e ludo atque pueritiæ disciplinis bello maximo atque acerrimis hostibus ad patris exercitum atque in militiæ disciplinam profectus est; qui
25 extrema pueritia miles in exercitu fuit summi imperatoris, ineunte adolescentia maximi ipse exercitus imperator; qui sæpius cum hoste conflixit, quam quisquam cum inimico concertavit; plura bella gessit, quam ceteri legerunt; plures provincias confecit, quam alii concupiverunt; cujus adole-
30 scentia ad scientiam rei militaris non alienis præceptis, sed suis imperiis, non offensionibus belli, sed victoriis, non stipendiis, sed triumphis est erudita. Quod denique genus esse belli potest, in quo illum non exercuerit fortuna rei publicæ? Civile, Africanum, Transalpinum, Hispaniense
35 mixtum ex incitatis atque bellicosissimis nationibus, servile, navale bellum, varia et diversa genera et bellorum et hostium, non solum gesta ab hoc uno, sed etiam confecta, nullam rem esse declarant in usu positam militari, quæ hujus viri scientiam fugere possit.

40 XI. 29. Jam vero virtuti Cn. Pompeii quæ potest oratio par inveniri? Quid est, quod quisquam aut illo dignum aut vobis novum aut cuiquam inauditum possit afferre? Neque enim illæ sunt solæ virtutes imperatoriæ, quæ vulgo existimantur, labor in negotiis, fortitudo in periculis, industria

in agendo, celeritas in conficiendo, consilium in providendo; quæ tanta sunt in hoc uno, quanta in omnibus reliquis imperatoribus, quos aut vidimus aut audivimus, non fuerunt. Testis est Italia, quam ille ipse victor, L. Sulla, hujus virtute et subsidio confessus est liberatam. 30. Testis est Sicilia, quam multis undique cinctam periculis non terrore belli, sed consilii celeritate explicavit. Testis est Africa, quæ magnis oppressa hostium copiis eorum ipsorum sanguine redundavit. Testis est Gallia, per quam legionibus nostris in Hispaniam iter Gallorum internecione patefactum est. Testis est Hispania, quæ sæpissime plurimos hostes ab hoc superatos prostratosque conspexit. Testis est iterum et sæpius Italia, quæ, quum servili bello tetro periculosoque premeretur, ab hoc auxilium absente expetivit: quod bellum exspectatione ejus attenuatum atque imminutum est, adventu sublatum ac sepultum. 31. Testes nunc vero jam omnes oræ atque omnes exteræ gentes ac nationes, denique maria omnia, quum universa, tum in singulis oris omnes sinus atque portus. Quis enim toto mari locus per hos annos aut tam firmum habuit præsidium, ut tutus esset? aut tam fuit abditus, ut lateret? Quis navigavit, qui non se aut mortis aut servitutis periculo committeret, quum aut hieme aut referto prædonum mari navigaret? Hoc tantum bellum, tam turpe, tam vetus, tam late divisum atque dispersum, quis unquam arbitraretur aut ab omnibus imperatoribus uno anno, aut omnibus annis ab uno imperatore confici posse? 32. Quam provinciam tenuistis a prædonibus liberam per hosce annos? quod vectigal vobis tutum fuit? quem socium defendistis? cui præsidio classibus vestris fuistis? quam multas existimatis insulas esse desertas? quam multas aut metu relictas aut a prædonibus captas urbes esse sociorum?

XII. Sed quid ego longinqua commemoro? Fuit hoc quondam, fuit proprium populi Romani, longe a domo bellare et propugnaculis imperii sociorum fortunas, non sua tecta defendere. Sociis ego nostris mare per hos annos clausum fuisse dicam, quum exercitus nostri nunquam a Brundisio nisi hieme summa transmiserint? Qui ad vos ab exteris nationibus venirent, captos querar, quum legati populi Romani redempti sint? Mercatoribus tutum mare non fuisse dicam, quum duodecim secures in prædonum potestatem pervenerint? 33. Cnidum aut Colophonem aut Samum, nobilissimas urbes, innumerabilesque alias captas esse commemorem, quum vestros portus, atque eos

portus, quibus vitam et spiritum ducitis, in prædonum fuisse potestate sciatis? An vero ignoratis portum Caietæ celeberrimum atque plenissimum navium inspectante prætore a prædonibus esse direptum? ex Miseno autem ejus ipsius
5 liberos, qui cum prædonibus antea ibi bellum gesserat, a prædonibus esse sublatos? Nam quid ego Ostiense incommodum atque illam labem atque ignominiam rei publicæ querar, quum prope inspectantibus vobis classis ea, cui consul populi Romani præpositus esset, a prædonibus capta
10 atque oppressa est? Pro dii immortales! tantamne unius hominis incredibilis ac divina virtus tam brevi tempore lucem afferre rei publicæ potuit, ut vos, qui modo ante ostium Tiberinum classem hostium videbatis, nunc nullam intra Oceani ostium prædonum navem esse audiatis? 34.
15 Atque hæc qua celeritate gesta sint, quamquam videtis, tamen a me in dicendo prætereunda non sunt. Quis enim unquam aut obeundi negotii aut consequendi quæstus studio tam brevi tempore tot loca adire, tantos cursus conficere potuit, quam celeriter Cn. Pompeio duce tanti belli impetus
20 navigavit? qui nondum tempestivo ad navigandum mari Siciliam adiit, Africam exploravit, inde Sardiniam cum classe venit atque hæc tria frumentaria subsidia rei publicæ firmissimis præsidiis classibusque munivit. 35. Inde quum se in Italiam recepisset, duabus Hispaniis et Gallia [Transalpina]
25 præsidiis ac navibus confirmata, missis item in oram Illyrici maris et in Achaiam omnemque Græciam navibus Italiæ duo maria maximis classibus firmissimisque præsidiis adornavit; ipse autem, ut Brundisio profectus est, undequinquagesimo die totam ad imperium populi Romani Ciliciam
30 adjunxit: omnes, qui ubique prædones fuerunt, partim capti interfectique sunt, partim unius hujus se imperio ac potestati dediderunt. Idem Cretensibus, quum ad eum usque in Pamphyliam legatos deprecatoresque misissent, spem deditionis non ademit obsidesque imperavit. Ita
35 tantum bellum, tam diuturnum, tam longe lateque dispersum, quo bello omnes gentes ac nationes premebantur, Cn. Pompeius extrema hieme apparavit, ineunte vere suscepit, media æstate confecit.

XIII. 36. Est hæc divina atque incredibilis virtus impe-
40 ratoris. Quid ceteræ, quas paulo ante commemorare cœperam, quantæ atque quam multæ sunt? Non enim bellandi virtus solum in summo ac perfecto imperatore quærenda est, sed multæ sunt artes eximiæ, hujus administræ comitesque virtutis. Ac primum quanta innocentia debent

esse imperatores? quanta deinde in omnibus rebus tempe-
rantia! quanta fide, quanta facilitate, quanto ingenio, quanta
humanitate! quæ breviter, qualia sint in Cn. Pompeio,
consideremus. Summa enim omnia sunt, Quirites, sed ea
magis ex aliorum contentione quam ipsa per sese cognosci 5
atque intelligi possunt. 37. Quem enim imperatorem pos-
sumus ullo in numero putare, cujus in exercitu centuriatus
veneant atque venierint? quid hunc hominem magnum aut
amplum de re publica cogitare, qui pecuniam ex ærario
depromptam ad bellum administrandum aut propter cupi- 10
ditatem provinciæ magistratibus diviserit aut propter avari-
tiam Romæ in quæstu reliquerit? Vestra admurmuratio
facit, Quirites, ut agnoscere videamini, qui hæc fecerint:
ego autem nomino neminem; quare irasci mihi nemo poterit,
nisi qui ante de se voluerit confiteri. 38. Itaque propter 15
hanc avaritiam imperatorum quantas calamitates, quocunque
ventum sit, nostri exercitus ferant, quis ignorat? Itinera,
quæ per hosce annos in Italia per agros atque oppida
civium Romanorum nostri imperatores fecerint, recorda-
mini; tum facilius statuetis, quid apud exteras nationes fieri 20
existimetis. Utrum plures arbitramini per hosce annos mili-
tum vestrorum armis hostium urbes, an hibernis sociorum
civitates esse deletas? Neque enim potest exercitum is
continere imperator, qui se ipse non continet, neque severus
esse in judicando, qui alios in se severos esse judices non 25
vult. 39. Hic miramur hunc hominem tantum excellere
ceteris, cujus legiones sic in Asiam pervenerint, ut non
modo manus tanti exercitus, sed ne vestigium quidem cui-
quam pacato nocuisse dicatur? Jam vero, quemadmodum
milites hibernent, quotidie sermones ac literæ perferuntur; 30
non modo, ut sumptum faciat in militem, nemini vis affertur,
sed ne cupienti quidem cuiquam permittitur. Hiemis enim,
non avaritiæ perfugium majores nostri in sociorum atque
amicorum tectis esse voluerunt.

XIV. 40. Age vero, ceteris in rebus qua sit temperantia, 35
considerate. Unde illam tantam celeritatem et tam incre-
dibilem cursum inventum putatis? Non enim illum eximia vis
remigum aut ars inaudita quædam gubernandi aut venti aliqui
novi tam celeriter in ultimas terras pertulerunt, sed eæ res,
quæ ceteros remorari solent, non retardarunt; non avaritia ab 40
instituto cursu ad prædam aliquam devocavit, non libido ad
voluptatem, non amœnitas ad delectationem, non nobilitas
urbis ad cognitionem, non denique labor ipse ad quietem.
Postremo signa et tabulas ceteraque ornamenta Græcorum

oppidorum, quæ ceteri tollenda esse arbitrantur, ea sibi ille ne visenda quidem existimavit. 41. Itaque omnes nunc in iis locis Cn. Pompeium sicut aliquem non ex hac urbe missum, sed de cœlo delapsum intuentur; nunc denique 5 incipiunt credere, fuisse homines Romanos hac quondam continentia, quod jam nationibus exteris incredibile ac falso memoriæ proditum videbatur. Nunc imperii vestri splendor illis gentibus lucet; nunc intelligunt non sine causa majores suos tum, quum ea temperantia magistratus habebamus, 10 servire populo Romano quam imperare aliis maluisse. Jam vero ita faciles aditus ad eum privatorum, ita liberæ querimoniæ de aliorum injuriis esse dicuntur, ut is, qui dignitate principibus excellit, facilitate infimis par esse videatur. 42. Jam quantum consilio, quantum dicendi gravitate et copia 15 valeat, in quo ipso inest quædam dignitas imperatoria, vos, Quirites, hoc ipso ex loco sæpe cognovistis. Fidem vero ejus quantam inter socios existimari putatis, quam hostes omnes omnium generum sanctissimam judicarint? Humanitate jam tanta est, ut difficile dictu sit, utrum hostes magis virtutem 20 ejus pugnantes timuerint, an mansuetudinem victi dilexerint. Et quisquam dubitabit, quin huic hoc tantum bellum transmittendum sit, qui ad omnia nostræ memoriæ bella conficienda divino quodam consilio natus esse videatur?

XV. 43. Et, quoniam auctoritas quoque in bellis ad- 25 ministrandis multum atque in imperio militari valet, certe nemini dubium est, quin ea re idem ille imperator plurimum possit. Vehementer autem pertinere ad bella administranda, quid hostes, quid socii de imperatoribus nostris existiment, quis ignorat, quum sciamus homines in tantis rebus, ut aut 30 contemnant aut metuant aut oderint aut ament, opinione non minus et fama quam aliqua ratione certa commoveri? Quod igitur nomen unquam in orbe terrarum clarius fuit? cujus res gestæ pares? de quo homine vos, id quod maxime facit auctoritatem, tanta et tam præclara judicia fecistis? 35 44. An vero ullam usquam esse oram tam desertam putatis, quo non illius diei fama pervaserit, quum universus populus Romanus referto foro completisque omnibus templis, ex quibus hic locus conspici potest, unum sibi ad commune omnium gentium bellum Cn. Pompeium imperatorem de- 40 poposcit? Itaque, ut plura non dicam neque aliorum exemplis confirmem, quantum auctoritas valeat in bello, ab eodem Cn. Pompeio omnium rerum egregiarum exempla sumantur; qui quo die a vobis maritimo bello præpositus est imperator, tanta repente vilitas annonæ ex summa

inopia et caritate rei frumentariæ consecuta est unius hominis spe ac nomine, quantam vix ex summa ubertate agrorum diuturna pax efficere potuisset. 45. Jam, accepta in Ponto calamitate ex eo prœlio, de quo vos paulo ante invitus admonui, quum socii pertimuissent, hostium opes animique 5 crevissent, satis firmum præsidium provincia non haberet, amisissetis Asiam, Quirites, nisi ad ipsum discrimen ejus temporis divinitus Cn. Pompeium ad eas regiones fortuna populi Romani attulisset. Hujus adventus et Mithridatem insolita inflammatum victoria continuit et Tigranem magnis 10 copiis minitantem Asiæ retardavit. Et quisquam dubitabit, quid virtute perfecturus sit, qui tantum auctoritate perfecerit? aut quam facile imperio atque exercitu socios et vectigalia conservaturus sit, qui ipso nomine ac rumore defenderit?

XVI. 46. Age vero, illa res quantam declarat ejusdem 15 hominis apud hostes populi Romani auctoritatem, quod ex locis tam longinquis tamque diversis tam brevi tempore omnes huic se uni dediderunt! quod Cretensium legati, quum in eorum insula noster imperator exercitusque esset, ad Cn. Pompeium in ultimas prope terras venerunt eique 20 se omnes Cretensium civitates dedere velle dixerunt! Quid? idem iste Mithridates nonne ad eundem Cn. Pompeium legatum usque ad Hispaniam misit eum, quem Pompeius legatum semper judicavit, ii, quibus erat semper molestum ad eum potissimum esse missum, speculatorem quam lega- 25 tum judicari maluerunt? Potestis igitur jam constituere, Quirites, hanc auctoritatem multis postea rebus gestis magnisque vestris judiciis amplificatam quantum apud illos reges, quantum apud exteras nationes valituram esse existimetis. 30

47. Reliquum est, ut de felicitate, quam præstare de se ipso nemo potest, meminisse et commemorare de altero possumus, sicut æquum est homines de potestate deorum, timide et pauca dicamus. Ego enim sic existimo: Maximo, Marcello, Scipioni, Mario et ceteris magnis imperatoribus 35 non solum propter virtutem, sed etiam propter fortunam sæpius imperia mandata atque exercitus esse commissos. Fuit enim profecto quibusdam summis viris quædam ad amplitudinem et ad gloriam et ad res magnas bene gerendas divinitus adjuncta fortuna. De hujus autem hominis felici- 40 tate, de quo nunc agimus, hac utar moderatione dicendi, non ut in illius potestate fortunam positam esse dicam, sed ut præterita meminisse, reliqua sperare videamur, ne aut invisa diis immortalibus oratio nostra aut ingrata esse vi-

deatur. 48. Itaque non sum prædicaturus, quantas ille res domi militiæ, terra marique quantaque felicitate gesserit; ut ejus semper voluntatibus non modo cives assenserint, socii obtemperarint, hostes obedierint, sed etiam venti tem-
5 pestatesque obsecundarint: hoc brevissime dicam, neminem unquam tam impudentem fuisse, qui ab diis immortalibus tot et tantas res tacitus auderet optare, quot et quantas dii immortales ad Cn. Pompeium detulerunt: quod ut illi proprium ac perpetuum sit, Quirites, quum communis salutis
10 atque imperii, tum ipsius hominis causa, sicuti facitis, velle et optare debetis.

49. Quare quum et bellum sit ita necessarium, ut negligi non possit, ita magnum, ut accuratissime sit administrandum, et quum ei imperatorem præficere possitis, in quo sit eximia
15 belli scientia, singularis virtus, clarissima auctoritas, egregia fortuna, dubitabitis, Quirites, quin hoc tantum boni, quod vobis ab diis immortalibus oblatum et datum est, in rem publicam conservandam atque amplificandam conferatis?

XVII. 50. Quod si Romæ Cn. Pompeius privatus esset
20 hoc tempore, tamen ad tantum bellum is erat deligendus atque mittendus. Nunc, quum ad ceteras summas utilitates hæc quoque opportunitas adjungatur, ut in iis ipsis locis adsit, ut habeat exercitum, ut ab iis qui habent, accipere statim possit, quid exspectamus? aut cur non ducibus diis
25 immortalibus eidem, cui cetera summa cum salute rei publicæ commissa sunt, hoc quoque bellum regium committamus?

51. At enim vir clarissimus, amantissimus rei publicæ, vestris beneficiis amplissimis affectus, Q. Catulus, itemque
30 summis ornamentis honoris fortunæ, virtutis ingenii præditus, Q. Hortensius, ab hac ratione dissentiunt: quorum ego auctoritatem apud vos multis locis plurimum valuisse, et valere oportere, confiteor; sed in hac causa, tametsi cognoscetis auctoritates contrarias virorum fortissimorum et cla-
35 rissimorum, tamen omissis auctoritatibus ipsa re ac ratione exquirere possumus veritatem; atque hoc facilius, quod ea omnia, quæ a me adhuc dicta sunt, iidem isti vera esse concedunt, et necessarium bellum esse et magnum et in uno Cn. Pompeio summa esse omnia. 52. Quid igitur ait Hor-
40 tensius? "Si uni omnia tribuenda sint, [unum] dignissimum esse Pompeium; sed ad unum tamen omnia deferri non oportere." Obsolevit jam ista oratio, re multo magis quam verbis refutata. Nam tu idem, Q. Hortensi, multa pro tua summa copia ac singulari facultate dicendi et in senatu

contra virum fortem, A. Gabinium, graviter ornateque dixisti, quum is de uno imperatore contra prædones constituendo legem promulgasset, et ex hoc ipso loco permulta item contra legem eam verba fecisti. 53. Quid? tum, per deos immortales! si plus apud populum Romanum auctoritas 5 tua quam ipsius populi Romani salus et vera causa valuisset, hodie hanc gloriam atque hoc orbis terræ imperium teneremus? An tibi tum imperium esse hoc videbatur, quum populi Romani legati, quæstores prætoresque capiebantur? quum ex omnibus provinciis commeatu et privato et publico 10 prohibebamur? quum ita clausa nobis erant maria omnia, ut neque privatam rem transmarinam neque publicam jam obire possemus?

XVIII. 54. Quæ civitas antea unquam fuit, non dico Atheniensium, quæ satis late quondam mare tenuisse dici- 15 tur; non Karthaginiensium, qui permultum classe ac maritimis rebus valuerunt; non Rhodiorum, quorum usque ad nostram memoriam disciplina navalis et gloria remansit: quæ civitas unquam tam tenuis, quæ tam parva insula fuit, quæ non portus suos et agros et aliquam partem regionis 20 atque oræ maritimæ per se ipsa defenderet? At hercule aliquot annos continuos ante legem Gabiniam ille populus Romanus, cujus usque ad nostram memoriam nomen invictum in navalibus pugnis permanserat, magna ac multo maxima parte non modo utilitatis, sed dignitatis atque 25 imperii caruit. 55. Nos, quorum majores Antiochum regem classe Persenque superarunt, omnibusque navalibus pugnis Karthaginienses, homines in maritimis rebus exercitatissimos paratissimosque, vicerunt, ii nullo in loco jam prædonibus pares esse poteramus. Nos, qui antea non modo Italiam 30 tutam habebamus, sed omnes socios in ultimis oris auctoritate nostri imperii salvos præstare poteramus, tum, quum insula Delos tam procul a nobis in Ægæo mari posita, quo omnes undique cum mercibus atque oneribus commeabant, referta divitiis, parva, sine muro nihil timebat, iidem non 35 modo provinciis atque oris Italiæ maritimis ac portubus nostris, sed etiam Appia jam via carebamus: et his temporibus non pudebat magistratus populi Romani in hunc ipsum locum ascendere, quum eum nobis majores nostri exuviis nauticis et classium spoliis ornatum reliquissent! 40

XIX. 56. Bono te animo, Q. Hortensi, populus Romanus et ceteros, qui erant in eadem sententia, dicere existimavit ea, quæ sentiebatis: sed tamen in salute communi idem populus Romanus dolori suo maluit quam auctoritati

vestræ obtemperare. Itaque una lex, unus vir, unus annus non modo nos illa miseria ac turpitudine liberavit, sed etiam effecit, ut aliquando vere videremur omnibus gentibus ac nationibus terra marique imperare.

5 57. Quo mihi etiam indignius videtur obtrectatum esse adhuc, Gabinio dicam, anne Pompeio, an utrique? id quod est verius; ne legaretur A. Gabinius Cn. Pompeio expetenti ac postulanti. Utrum ille, qui postulat ad tantum bellum legatum, quem velit, idoneus non est, qui impetret, quum
10 ceteri ad expilandos socios diripiendasque provincias, quos voluerunt, legatos eduxerint; an ipse, cujus lege salus ac dignitas populo Romano atque omnibus gentibus constituta est, expers esse debet ejus gloriæ imperatoris atque ejus exercitus, qui consilio ipsius ac periculo est constitutus?
15 58. An C. Falcidius, Q. Metellus, Q. Cœlius Latiniensis, Cn. Lentulus, quos omnes honoris causa nomino, quum tribuni plebi fuissent, anno proximo legati esse potuerunt; in uno Gabinio sunt tam diligentes? qui in hoc bello, quod lege Gabinia geritur, in hoc imperatore atque exercitu,
20 quem per vos ipse constituit, etiam præcipuo jure esse deberet? De quo legando consules spero ad senatum relaturos. Qui si dubitabunt aut gravabuntur, ego me profiteor relaturum; neque me impediet cujusquam inimicum edictum, quo minus vobis fretus vestrum jus benefi-
25 ciumque defendam; neque præter intercessionem quidquam audiam; de qua, ut arbitror, isti ipsi, qui minantur, etiam atque etiam, quid liceat, considerabunt. Mea quidem sententia, Quirites, unus A. Gabinius belli maritimi rerumque gestarum Cn. Pompeio socius adscribitur; propterea quod
30 alter uni illud bellum suscipiendum vestris suffragiis detulit, alter delatum susceptumque confecit.

XX. 59. Reliquum est, ut de Q. Catuli auctoritate et sententia dicendum esse videatur. Qui quum ex vobis quæreret, si in uno Cn. Pompeio omnia poneretis, si quid
35 eo factum esset, in quo spem essetis habituri, cepit magnum suæ virtutis fructum ac dignitatis, quum omnes una prope voce in ipso vos spem habituros esse dixistis. Etenim talis est vir, ut nulla res tanta sit ac tam difficilis, quam ille non et consilio regere et integritate tueri et virtute conficere
40 possit. Sed in hoc ipso ab eo vehementissime dissentio, quod, quo minus certa est hominum ac minus diuturna vita, hoc magis res publica, dum per deos immortales licet, frui debet summi viri vita atque virtute.—60. At enim ne quid novi fiat contra exempla atque instituta majorum.—Non

dicam hoc loco majores nostros semper in pace consuetudini, in bello utilitati paruisse; semper ad novos casus temporum novorum consiliorum rationes accommodasse; non dicam duo bella maxima, Punicum atque Hispaniense, ab uno imperatore esse confecta; duasque urbes potentissimas, 5 quæ huic imperio maxime minitabantur, Karthaginem atque Numantiam, ab eodem Scipione esse deletas: non commemorabo, nuper ita vobis patribusque vestris esse visum, ut in uno C. Mario spes imperii poneretur, ut idem cum Jugurtha, idem cum Cimbris, idem cum Teutonis bellum 10 administraret: 61. in ipso Cn. Pompeio, in quo novi constitui nihil vult Q. Catulus, quam multa sint nova summa Q. Catuli voluntate constituta, recordamini.

XXI. Quid tam novum, quam adolescentulum, privatum, exercitum difficili rei publicæ tempore conficere? confecit: 15 huic præesse? præfuit: rem optime ductu suo gerere? gessit. Quid tam præter consuetudinem, quam homini peradolescenti, cujus ætas a senatorio gradu longe abesset, imperium atque exercitum dari, Siciliam permitti atque Africam bellumque in ea administrandum? Fuit in his 20 provinciis singulari innocentia gravitate virtute: bellum in Africa maximum confecit, victorem exercitum deportavit. Quid vero tam inauditum, quam equitem Romanum triumphare? at eam quoque rem populus Romanus non modo vidit, sed omni etiam studio visendam et concelebrandam 25 putavit. 62. Quid tam inusitatum, quam ut, quum duo consules clarissimi fortissimique essent, eques Romanus ad bellum maximum formidolosissimumque pro consule mitteretur? missus est. Quo quidem tempore, quum esset non nemo in senatu, qui diceret, *Non oportere mitti hominem* 30 *privatum pro consule;* L. Philippus dixisse dicitur: *Non se illum sua sententia pro consule, sed pro consulibus mittere.* Tanta in eo rei publicæ bene gerendæ spes constituebatur, ut duorum consulum munus unius adolescentis virtuti committeretur. Quid tam singulare, quam ut ex 35 senatus consulto legibus solutus consul ante fieret, quam ullum alium magistratum per leges capere licuisset? quid tam incredibile, quam ut iterum eques Romanus ex senatus consulto triumpharet? Quæ in omnibus hominibus nova post hominum memoriam constituta sunt, ea tam multa non 40 sunt, quam hæc, quæ in hoc uno homine videmus. 63. Atque hæc tot exempla tanta ac tam nova profecta sunt in eundem hominem a Q. Catuli atque a ceterorum ejusdem dignitatis amplissimorum hominum auctoritate.

XXII. Quare videant, ne sit periniquum et non ferendum illorum auctoritatem de Cn. Pompeii dignitate a vobis comprobatam semper esse, vestrum ab illis de eodem homine judicium populique Romani auctoritatem improbari; præ-
5 sertim quum jam suo jure populus Romanus in hoc homine suam auctoritatem vel contra omnes, qui dissentiunt, possit defendere; propterea quod, iisdem istis reclamantibus, vos unum illum ex omnibus delegistis, quem bello prædonum præponeretis 64. Hoc si vos temere fecistis et rei publicæ
10 parum consuluistis, recte isti studia vestra suis consiliis regere conantur; sin autem vos plus tum in re publica vidistis, vos his repugnantibus per vosmet ipsos dignitatem huic imperio, salutem orbi terrarum attulistis; aliquando isti principes et sibi et ceteris populi Romani universi
15 auctoritati parendum esse fateantur! [Atque in hoc bello Asiatico et regio non solum militaris illa virtus, quæ est in Cn. Pompeio singularis, sed aliæ quoque virtutes animi magnæ et multæ requiruntur. Difficile est in Asia, Cilicia, Syria regnisque interiorum nationum ita versari nostrum
20 imperatorem, ut nihil aliud nisi de hoste ac de laude cogitet. Deinde etiam si, qui sunt pudore ac temperantia moderatiores, tamen eos esse tales, propter multitudinem cupidorum hominum nemo arbitratur. 65. Difficile est dictu, Quirites, quanto in odio simus apud exteras nationes propter eorum,
25 quos ad eas per hos annos cum imperio misimus, libidines et injurias. Quod enim fanum putatis in illis terris nostris magistratibus religiosum, quam civitatem sanctam, quam domum satis clausam ac munitam fuisse? Urbes jam locupletes ac copiosæ requiruntur, quibus causa belli propter
30 diripiendi cupiditatem inferatur. 66. Libenter hæc coram cum Q. Catulo et Q. Hortensio summis et clarissimis viris, disputarem; noverunt enim sociorum vulnera, vident eorum calamitates, querimonias audiunt. Pro sociis vos contra hostes exercitum mittere putatis, an hostium simulatione
35 contra socios atque amicos? quæ civitas est in Asia, quæ non modo imperatoris aut legati, sed unius tribuni militum animos ac spiritus capere possit?

XXIII. Quare, etiam si quem habetis, qui collatis signis exercitus regios superare posse videatur, tamen, nisi erit
40 idem, qui se a pecuniis sociorum, qui ab eorum conjugibus ac liberis, qui ab ornamentis fanorum atque oppidorum, qui ab auro gazaque regia manus oculos animum cohibere possit, non erit idoneus, qui ad bellum Asiaticum regiumque mittatur. 67. Ecquam putatis civitatem pacatam fuisse,

quæ locuples sit? ecquam esse locupletem, quæ istis pacata esse videatur? Ora maritima, Quirites, Cn. Pompeium non solum propter rei militaris gloriam, sed etiam propter animi continentiam requisivit. Videbat enim prætores locupletari quotannis pecunia publica, præter paucos; neque eos quid- 5 quam aliud assequi classium nomine, nisi ut detrimentis accipiendis majore affici turpitudine videremur. Nunc qua cupiditate homines in provincias, quibus jacturis, quibus conditionibus proficiscantur, ignorant videlicet isti, qui ad unum deferenda omnia esse non arbitrantur: quasi vero Cn. 10 Pompeium non quum suis virtutibus, tum etiam alienis vitiis magnum esse videamus.

68. Quare nolite dubitare, quin huic uni credatis omnia, qui inter tot annos unus inventus sit, quem socii in urbes suas cum exercitu venisse gaudeant.] Quod si auctoritatibus 15 hanc causam, Quirites, confirmandam putatis, est vobis auctor vir bellorum omnium maximarumque rerum peritissimus P. Servilius, cujus tantæ res gestæ terra marique exstiterunt, ut, quum de bello deliberetis, auctor vobis gravior nemo esse debeat; est C. Curio summis vestris bene- 20 ficiis maximisque rebus gestis, summo ingenio et prudentia præditus; est Cn. Lentulus, in quo omnes pro amplissimis vestris honoribus summum consilium, summam gravitatem esse cognovistis; est C. Cassius, integritate virtute constantia singulari. Quare videte, ut horum auctoritatibus 25 illorum orationi, qui dissentiunt, respondere posse videamur.

XXIV. 69. Quæ quum ita sint, C. Manili, primum istam tuam et legem et voluntatem et sententiam laudo vehementissimeque comprobo: deinde te hortor, ut auctore populo Romano maneas in sententia neve cujusquam vim 30 aut minas pertimescas. Primum in te satis esse animi perseverantiæque arbitror; deinde quum tantam multitudinem cum tanto studio adesse videamus, quantam nunc iterum in eodem homine præficiendo videmus, quid est, quod aut de re aut de perficiendi facultate dubitemus? 35 Ego autem, quidquid est in me studii, consilii, laboris, ingenii, quidquid hoc beneficio populi Romani atque hac potestate prætoria, quidquid auctoritate fide constantia possum, id omne ad hanc rem conficiendam tibi et populo Romano polliceor ac defero: 70. testorque omnes deos, et eos 40 maxime, qui huic loco temploque præsident, qui omnium mentes eorum, qui ad rem publicam adeunt, maxime perspiciunt, me hoc neque rogatu facere cujusquam neque quo Cn. Pompeii gratiam mihi per hanc causam conciliari putem

neque quo mihi ex cujusquam amplitudine aut præsidia
periculis aut adjumenta honoribus quæram; propterea quod
pericula facile, ut hominem præstare oportet, innocentia
tecti repellemus; honorem autem neque ab uno neque ex
5 hoc loco, sed eadem illa nostra laboriosissima ratione vitæ,
si vestra voluntas feret, consequemur. 71. Quamobrem,
quidquid in hac causa mihi susceptum est, Quirites, id ego
omne me rei publicæ causa suscepisse confirmo; tantumque
abest, ut aliquam mihi bonam gratiam quæsisse videar, ut
10 multas me etiam simultates partim obscuras, partim apertas
intelligam mihi non necessarias, vobis non inutiles suscepisse.
Sed ego me hoc honore præditum, tantis vestris beneficiis
affectum statui, Quirites, vestram voluntatem et rei publicæ
dignitatem et salutem provinciarum atque sociorum meis
15 omnibus commodis et rationibus præferre oportere.

ORATIO

PRO M. MARCELLO.

I. 1. Diuturni silentii, Patres conscripti, quo eram his temporibus usus, non timore aliquo, sed partim dolore, partim verecundia, finem hodiernus dies attulit, idemque initium, quæ vellem quæque sentirem meo pristino more dicendi. Tantam enim mansuetudinem, tam inusitatam 5 inauditamque clementiam, tantum in summa potestate omnium rerum modum, tam denique incredibilem sapientiam ac pæne divinam tacitus præterire nullo modo possum. 2. M. enim Marcello vobis, Patres conscripti, reique publicæ reddito, non illius solum, sed etiam meam vocem et auctorita- 10 tem et vobis et rei publicæ conservatam ac restitutam puto. Dolebam enim, Patres conscripti, et vehementer angebar, quum viderem, virum talem, qui in eadem causa esset, in qua ego fuissem, non in eadem esse fortuna: nec mihi persuadere poteram nec fas esse ducebam, versari me in 15 nostro vetere curriculo, illo æmulo atque imitatore studiorum ac laborum meorum quasi quodam socio a me et comite distracto. Ergo et mihi meæ pristinæ vitæ consuetudinem, C. Cæsar, interclusam aperuisti et his omnibus ad bene de omni re publica sperandum quasi signum aliquod sustulisti. 20 3. Intellectum est enim mihi quidem in multis et maxime in me ipso, sed paulo ante omnibus, quum M. Marcellum senatui reique publicæ concessisti, commemoratis præsertim offensionibus, te auctoritatem hujus ordinis dignitatemque rei publicæ tuis vel doloribus vel suspicionibus 25 anteferre. Ille quidem fructum omnis ante actæ vitæ hodierno die maximum cepit, quum summo consensu senatus tum præterea judicio tuo gravissimo et maximo. Ex quo profecto intelligis, quanta in dato beneficio sit laus, quum in accepto sit tanta gloria. Est vero fortunatus ille, cujus 30

ex salute non minor pæne ad omnes, quam ad illum ventura sit, lætitia pervenerit: 4. quod quidem ei merito atque optimo jure contigit. Quis enim est illo aut nobilitate aut probitate aut optimarum artium studio aut innocentia aut
5 ullo laudis genere præstantior?

II. Nullius tantum flumen est ingenii, nullius dicendi aut scribendi tanta vis, tanta copia, quæ non dicam exornare, sed enarrare, C. Cæsar, res tuas gestas possit. Tamen affirmo et hoc pace dicam tua: nullam in his laudem esse
10 ampliorem, quam eam, quam hodierno die consecutus es. 5. Soleo sæpe ante oculos ponere idque libenter crebris usurpare sermonibus: omnes nostrorum imperatorum, omnes exterarum gentium potentissimorumque populorum, omnes clarissimorum regum res gestas cum tuis nec contentionum
15 magnitudine nec numero prœliorum nec varietate regionum nec celeritate conficiendi nec dissimilitudine bellorum posse conferri; nec vero disjunctissimas terras citius passibus cujusquam potuisse peragrari, quam tuis non dicam cursibus, sed victoriis lustratæ sunt. 6. Quæ quidem ego
20 nisi tam magna esse fatear, ut ea vix cujusquam mens aut cogitatio capere possit, amens sim, sed tamen sunt alia majora. Nam bellicas laudes solent quidam extenuare verbis easque detrahere ducibus, communicare cum multis, ne propriæ sint imperatorum. Et certe in armis militum
25 virtus, locorum opportunitas, auxilia sociorum, classes, commeatus multum juvant, maximam vero partem quasi suo jure fortuna sibi vindicat et quidquid prospere gestum est, id pæne omne ducit suum. 7. At vero hujus gloriæ, C. Cæsar, quam es paulo ante adeptus, socium habes neminem:
30 totum hoc quantumcunque est, quod certe maximum est, totum est, inquam, tuum. Nihil sibi ex ista laude centurio, nihil præfectus, nihil cohors, nihil turma decerpit: quin etiam illa ipsa rerum humanarum domina, Fortuna, in istius societatem gloriæ se non offert, tibi cedit, tuam se esse
35 totam et propriam fatetur. Nunquam enim temeritas cum sapientia commiscetur neque ad consilium casus admittitur.

III. 8. Domuisti gentes immanitate barbaras, multitudine innumerabiles, locis infinitas, omni copiarum genere abundantes: sed tamen ea vicisti, quæ et naturam et condi-
40 tionem, ut vinci possent, habebant. Nulla est enim tanta vis, quæ non ferro et viribus debilitari frangique possit. Animum vincere, iracundiam cohibere, victoriam temperare, adversarium nobilitate, ingenio, virtute præstantem non modo extollere jacentem, sed etiam amplificare ejus pristi-

nam dignitatem, hæc qui facit, non ego eum cum summis
viris comparo, sed simillimum deo judico. 9. Itaque, C.
Cæsar, bellicæ tuæ laudes celebrabuntur illæ quidem non
solis nostris, sed pæne omnium gentium literis atque linguis,
nec ulla unquam ætas de tuis laudibus conticescet: sed 5
tamen ejusmodi res nescio quomodo etiam quum leguntur,
obstrepi clamore militum videntur et tubarum sono. At
vero quum aliquid clementer, mansuete, juste, moderate,
sapienter factum, in iracundia præsertim, quæ est inimica
consilio, et in victoria, quæ natura insolens et superba est, 10
audimus aut legimus, quo studio incendimur, non modo in
gestis rebus, sed etiam in fictis, ut eos sæpe, quos nunquam
vidimus, diligamus! 10. Te vero, quem præsentem intue-
mur, cujus mentem sensusque et os cernimus, ut quidquid
belli fortuna reliquum rei publicæ fecerit, id esse salvum 15
velis, quibus laudibus efferemus? quibus studiis prosequе-
mur? qua benevolentia complectemur? Parietes, medius
fidius, ut mihi videtur, hujus curiæ tibi gratias agere
gestiunt, quod brevi tempore futura sit illa auctoritas in his
majorum suorum et suis sedibus. 20

IV. Equidem quum C. Marcelli viri optimi et incompa-
rabili pietate præditi lacrimas modo vobiscum viderem,
omnium Marcellorum meum pectus memoria obfudit, quibus
tu etiam mortuis, M. Marcello conservato, dignitatem suam
reddidisti nobilissimamque familiam jam ad paucos redactam 25
pæne ab interitu vindicasti. 11. Hunc tu igitur diem tuis
maximis et innumerabilibus gratulationibus jure anteponis.
Hæc enim res unius est propria Cæsaris: ceteræ duce te
gestæ, magnæ illæ quidem, sed tamen multo magnoque
comitatu. Hujus autem rei tu idem es et dux et comes, 30
quæ quidem tanta est, ut nulla tropæis et monumentis tuis
allatura finem sit ætas: nihil est enim opere et manu factum,
quod non aliquando conficiat et consumat vetustas: 12. at
hæc tua justitia et lenitas animi florescit quotidie magis, ita
ut quantum tuis operibus diuturnitas detrahet, tantum affe- 35
rat laudibus. Et ceteros quidem omnes victores bellorum
civilium jam ante æquitate et misericordia viceras: hodierno
vero die te ipsum vicisti. Vereor ut hoc, quod dicam,
perinde intelligi auditu possit atque ipse cogitans sentio:
ipsam victoriam vicisse videris, quum ea, quæ illa erat 40
adepta, victis remisisti. Nam quum ipsius victoriæ condi-
tione omnes victi occidissemus, clementiæ tuæ judicio con-
servati sumus. Recte igitur unus invictus es, a quo etiam
ipsius victoriæ conditio visque devicta est.

V. 13. Atque hoc C. Cæsaris judicium, Patres conscripti, quam late pateat attendite: omnes enim, qui ad illa arma fato sumus, nescio quo rei publicæ misero funestoque compulsi, etsi aliqua culpa tenemur erroris humani, a scelere
5 certe liberati sumus. Nam quum M. Marcellum deprecantibus vobis rei publicæ conservavit: memet mihi et item rei publicæ nullo deprecante reliquos amplissimos viros et sibi ipsos et patriæ reddidit: quorum et frequentiam et dignitatem hoc ipso in consessu videtis. Non ille hostes
10 induxit in curiam, sed judicavit a plerisque ignoratione potius et falso atque inani metu, quam cupiditate aut crudelitate bellum esse susceptum. 14. Quo quidem in bello semper de pace audiendum putavi semperque dolui non modo pacem, sed etiam orationem civium pacem flagitan-
15 tium repudiari. Neque enim ego illa nec ulla unquam secutus sum arma civilia: semperque mea consilia pacis et togæ socia, non belli atque armorum fuerunt. Hominem sum secutus privato consilio, non publico: tantumque apud me grati animi fidelis memoria valuit, ut nulla non modo
20 cupiditate, sed ne spe quidem prudens et sciens tamquam ad interitum ruerem voluntarium. 15. Quod quidem meum consilium minimè obscurum fuit. Nam et in hoc ordine, integra re, multa de pace dixi et in ipso bello eadem etiam cum capitis mei periculo sensi. Ex quo nemo jam erit tam
25 injustus existimator rerum qui dubitet, quæ Cæsaris de bello voluntas fuerit, quum pacis auctores conservandos statim censuerit, ceteris fuerit iratior. Atque id minus fortasse mirum tum, quum esset incertus exitus et anceps fortuna belli: qui verò victor pacis auctores diligit, is pro-
30 fectò declarat se maluisse non dimicare quàm vincere.

VI. 16. Atque hujus quidem rei M. Marcello sum testis. Nostri enim sensus, ut in pace semper, sic tum etiam in bello congruebant. Quoties ego eum et quanto cum dolore vidi, quum insolentiam certorum hominum tum
35 etiam ipsius victoriæ ferocitatem extimescentem! Quo gratior tua liberalitas, C. Cæsar, nobis, qui illa vidimus, debet esse. Non enim jam causæ sunt inter se, sed victoriæ comparandæ. 17. Vidimus tuam victoriam prœliorum exitu terminatam: gladium vagina vacuum in urbe non
40 vidimus. Quos amisimus cives, eos Martis vis perculit, non ira victoriæ, ut dubitare debeat nemo quin multos si fieri posset, C. Cæsar ab inferis excitaret, quoniam ex eadem acie conservat, quos potest. Alterius vero partis nihil amplius dicam quam id, quod omnes verebamur, nimis ira-

cundam futuram fuisse victoriam. 18. Quidam enim non modo armatis, sed interdum etiam otiosis minabantur, nec quid quisque sensisset, sed ubi fuisset, cogitandum esse dicebant: ut mihi quidem videantur dii immortales, etiam si pœnas a populo Romano ob aliquod delictum expetiverunt, qui civile bellum tantum et tam luctuosum excitaverunt, vel placati jam vel satiati aliquando omnem spem salutis ad clementiam victoris et sapientiam contulisse.

19. Quare gaude tuo isto tam excellenti bono: et fruere quum fortuna et gloria, tum etiam natura et moribus tuis: ex quo quidem maximus est fructus jucunditasque sapienti. Cetera quum tua recordabere, etsi persæpe virtuti, tamen plerumque felicitati, tuæ gratulabere: de nobis, quos in re publica tecum simul salvos esse voluisti, quoties cogitabis, toties de maximis tuis beneficiis, toties de incredibili liberalitate, toties de singulari sapientia tua cogitabis: quæ non modò summa bona, sed nimirum audebo vel sola dicere. Tantus est enim splendor in laude vera, tanta in magnitudine animi et consilii dignitas, ut hæc a virtute donata, cetera a fortuna commodata esse videantur. 20. Noli igitur in conservandis bonis viris defatigari, non cupiditate præsertim aliqua aut pravitate lapsis, sed opinione officii stulta fortasse, certe non improba, et specie quadam rei publicæ; non enim tua ulla culpa est, si te aliqui timuerunt, contraque summa laus, quod minime timendum fuisse senserunt.

VII. 21. Nunc venio ad gravissimam querelam et atrocissimam suspicionem tuam; quæ non tibi ipsi magis quam quum omnibus civibus tum maxime nobis, qui a te conservati sumus, providenda est: quam etsi spero falsam esse, tamen nunquam extenuabo verbis. Tua enim cautio nostra cautio est, ut si in alterutro peccandum sit, malim videri nimis timidus, quam parum prudens. Sed quisnam est iste tam demens? De tuisne?—tametsi qui magis sunt tui, quam quibus tu salutem insperantibus reddidisti? an ex hoc numero, qui una tecum fuerunt?—Non est credibilis tantus in ullo furor, ut quo duce omnia summa sit adeptus, hujus vitam non anteponat suæ. An si nihil tui cogitant sceleris, cavendum est ne quid inimici? Qui? omnes enim, qui fuerunt, aut sua pertinacia vitam amiserunt aut tua misericordia retinuerunt, ut aut nulli supersint de inimicis aut qui superfuerunt sint amicissimi. 22. Sed tamen quum in animis hominum tantæ latebræ sint et tanti recessus, augeamus sane suspicionem tuam: simul enim augebimus dili-

gentiam. Nam quis est omnium tam ignarus rerum, tam rudis in re publica, tam nihil unquam nec de sua nec de communi salute cogitans, qui non intelligat tua salute contineri suam et ex unius tua vita pendere omnium? Equidem
5 de te dies noctesque, ut debeo, cogitans casus dumtaxat humanos et incertos eventus valetudinis et naturæ communis fragilitatem extimesco, doleoque, quum res publica immortalis esse debeat, eam in unius mortalis anima consistere. 23. Si vero ad humanos casus incertosque motus valetudinis
10 sceleris etiam accedit insidiarumque consensio: quem deum, si cupiat, posse opitulari rei publicæ credamus?

VIII. Omnia sunt excitanda tibi, C. Cæsar, uni, quæ jacere sentis, belli ipsius impetu, quod necesse fuit, prostrata atque perculsa; constituenda judicia, revocanda fides,
15 comprimendæ libidines, propaganda suboles, omnia, quæ delapsa jam defluxerunt, severis legibus vincienda sunt. 24. Non fuit recusandum in tanto civili bello, tanto animorum ardore et armorum, quin quassata res publica, quicunque belli eventus fuisset, multa perderet et ornamenta
20 dignitatis et præsidia stabilitatis suæ: multaque uterque dux faceret armatus, quæ idem togatus fieri prohibuisset. Quæ quidem tibi nunc omnia belli vulnera sananda sunt, quibus præter te nemo mederi potest. 25. Itàque illam tuam præclarissimam et sapientissimam vocem invitus audi-
25 vi: "Satis diu vel naturæ vixi vel gloriæ." Satis, si ita vis, fortasse naturæ, addo etiam, si placet, gloriæ: at quod maximum est, patriæ certe parum. Quare omitte istam, quæso, doctorum hominum in contemnenda morte prudentiam: noli nostro periculo esse sapiens. Sæpe enim venit
30 ad aures meas, te idem istud nimis crebro dicere. tibi te satis vixisse. Credo: sed tum id audirem, si tibi soli viveres aut si tibi etiam soli natus esses, nunc, quum omnium salutem civium cunctamque rem publicam res tuæ gestæ complexæ sint, tantum abes a perfectione maximorum operum,
35 ut fundamenta nondum, quæ cogitas, jeceris. Hic tu modum vitæ tuæ, non salute rei publicæ, sed æquitate animi definies? Quid? si istud ne gloriæ tuæ quidem satis est? cujus te esse avidissimum, quamvis sis sapiens, non negabis. 26. Parumne igitur, inquies, gloriam magnam
40 relinquemus? Immo vero aliis quamvis multis satis, tibi uni parum. Quidquid est enim quamvis amplum sit, est certe parum tunc, quum est aliquid amplius. Quod si rerum tuarum immortalium, C. Cæsar, hic exitus futurus fuit, ut devictis adversariis rem publicam in eo statu relin-

queres, in quo nunc est: vide, quæso, ne tua divina virtus admirationis plus sit habitura quam gloriæ: siquidem gloria est illustris ac pervagata magnorum vel in suos cives vel in patriam vel in omne genus hominum fama meritorum. IX. 27. Hæc igitur tibi reliqua pars est: hic restat actus, 5 in hoc elaborandum est, ut rem publicam constituas eaque tu in primis summa tranquillitate et otio perfruare: tum te, si voles, quum patriæ, quod debes, solveris, et naturam ipsam expleveris satietate vivendi, satis diu vixisse dicito. Quid enim est omnino hoc ipsum diu, in quo est aliquid 10 extremum? quod quum venit, omnis voluptas præterita pro nihilo est, quia postea nulla est futura. Quamquam iste tuus animus nunquam his angustiis, quas natura nobis ad vivendum dedit, contentus fuit, semper immortalitatis amore flagravit. 28. Nec vero hæc tua vita dicenda est, 15 quæ corpore et spiritu continetur. Illa, inquam, illa vita est tua, quæ vigebit memoria seculorum omnium, quam posteritas alet, quam ipsa æternitas semper tuebitur. Huic tu inservias, huic te ostentes oportet, quæ quidem, quæ miretur, jampridem multa habet, nunc etiam quæ laudet 20 exspectat. Obstupescent posteri certe imperia, provincias, Rhenum, Oceanum, Nilum, pugnas innumerabiles, incredibiles victorias, monumenta, munera, triumphos audientes et legentes tuos. 29. Sed nisi hæc urbs stabilita tuis consiliis et institutis erit, vagabitur modo nomen tuum longe 25 atque late: sedem stabilem et domicilium certum non habebit. Erit inter eos etiam, qui nascentur, sicut inter nos fuit, magna dissensio, quum alii laudibus ad cœlum res tuas gestas efferent, alii fortasse aliquid requirent, idque vel maximum, nisi belli civilis incendium salute patriæ 30 restinxeris: ut illud fati fuisse videatur, hoc consilii. Servi igitur iis etiam judicibus, qui multis post seculis de te judicabunt et quidem haud scio an incorruptius, quam nos: nam et sine amore et sine cupiditate et rursus sine odio et sine invidia judicabunt. 30. Id autem etiam si tum ad te, 35 ut quidam falso putant, non pertinebit: nunc certe pertinet esse te talem, ut tuas laudes obscuratura nulla unquam sit oblivio.

X. Diversæ voluntates civium fuerunt distractæque sententiæ. Non enim consiliis solum et studiis, sed armis 40 etiam et castris dissidebamus, erat enim obscuritas quædam: erat certamen inter clarissimos duces: multi dubitabant, quid optimum esset, multi quid sibi expediret, multi quid deceret, nonnulli etiam quid liceret. 31. Perfuncta res

publica est hoc misero fatalique bello: vicit is, qui non fortuna inflammaret odium suum, sed bonitate leniret: nec qui omnes, quibus iratus esset, eosdem etiam exsilio aut morte dignos judicaret. Arma ab aliis posita, ab aliis
5 erepta sunt. Ingratus est injustusque civis, qui armorum periculo liberatus, animum tamen retinet armatum, ut etiam ille melior sit, qui in acie cecidit, qui in causa animam profudit. Quæ enim pertinacia quibusdam, eadem aliis constantia videri potest. 32. Sed jam omnis fracta dissensio
10 est armis, exstincta æquitate victoris: restat ut omnes unum velint, qui modo habent aliquid non solum sapientiæ, sed etiam sanitatis. Nisi te, C. Cæsar, salvo et in ista sententia, qua quum antea tum hodie vel maxime usus es, manente, salvi esse non possumus. Quare omnes te, qui
15 hæc salva esse volumus, et hortamur et obsecramus, ut vitæ tuæ et saluti consulas, omnesque tibi, (ut pro aliis etiam loquar, quod de me ipse sentio), quoniam subesse aliquid putas, quod cavendum sit, non modo excubias et custodias, sed etiam laterum nostrorum oppositus et corporum polli-
20 cemur.

XI. 33. Sed ut unde est orsa, in eodem terminetur oratio: maximas tibi omnes gratias agimus, C. Cæsar, majores etiam habemus. Nam omnes idem sentiunt, quod ex omnium precibus et lacrimis sentire potuisti: sed quia
25 non est omnibus stantibus necesse dicere, a me certe dici volunt, cui necesse est quodammodo, et quod fieri decet M. Marcello a te huic ordini populoque Romano et rei publicæ reddito, fieri id intelligo. Nam lætari omnes non de unius solum, sed de communi salute sentio. 34. Quod autem
30 summæ benevolentiæ est, quæ mea erga illum omnibus semper nota fuit, ut vix C. Marcello, optimo et amantissimo fratri, præter eum quidem cederem nemini, quum id sollicitudine, cura, labore tamdiu præstiterim, quamdiu est de illius salute dubitatum, certe hoc tempore, magnis curis,
35 molestiis, doloribus liberatus, præstare debeo. Itaque, C. Cæsar, sic tibi gratias ago, ut omnibus me rebus a te non conservato solum, sed etiam ornato, tamen ad tua in me unum innumerabilia merita, quod fieri jam posse non arbitrabar, maximus hoc tuo facto cumulus accesserit.

ORATIO

PRO Q. LIGARIO.

I. 1. NOVUM crimen, C. Cæsar, et ante hunc diem inauditum propinquus meus ad te Q. Tubero detulit, Q. Ligarium in Africa fuisse; idque C. Pansa, præstanti vir ingenio, fretus fortasse familiaritate ea, quæ est ei tecum, ausus est confiteri. Itaque, quo me vertam, nescio. Paratus 5 enim veneram, quum tu id neque per te scires neque audire aliunde potuisses, ut ignoratione tua ad hominis miseri salutem abuterer. Sed quoniam diligentia inimici investigatum est, quod latebat, confitendum est, ut opinor; præsertim quum meus necessarius Pansa fecerit, ut id integrum 10 jam non esset: omissaque controversia, omnis oratio ad misericordiam tuam conferenda est, qua plurimi sunt conservati, quum a te non liberationem culpæ, sed errati veniam impetravissent. 2. Habes igitur, Tubero, quod est accusatori maxime optandum, confitentem reum: sed tamen hoc 15 confitentem, se in ea parte fuisse, qua te, qua virum omni laude dignum, patrem tuum. Itaque prius de vestro delicto confiteamini necesse est, quam Ligarii ullam culpam reprehendatis.

Q. enim Ligarius, quum esset nulla belli suspicio, legatus 20 in Africam cum C. Considio profectus est; qua in legatione et civibus et sociis ita se probavit, ut decedens Considius provincia satisfacere hominibus non posset, si quemquam alium provinciæ præfecisset. Itaque Ligarius, quum diu recusans nihil profecisset, provinciam accepit invitus; cui 25 sic præfuit in pace, ut et civibus et sociis gratissima esset ejus integritas ac fides. 3. Bellum subito exarsit: quod, qui erant in Africa, ante audierunt geri quam parari. Quo audito, partim cupiditate inconsiderata, partim cæco quodam timore, primo salutis, post etiam studii sui quærebant ali- 30

quem ducem; quum Ligarius domum spectans, ad suos redire cupiens, nullo se implicari negotio passus est. Interim P. Atius Varus, qui prætor Africam obtinuerat, Uticam venit: ad eum statim concursum est. Atque ille non mediocri cupiditate arripuit imperium, si illud imperium esse potuit, quod ad privatum clamore multitudinis imperitæ, nullo publico consilio deferebatur. 4. Itaque Ligarius, qui omne tale negotium cuperet effugere, paulum adventu Vari conquievit.

II. Adhuc, C. Cæsar, Q. Ligarius omni culpa vacat. Domo est egressus non modo nullum ad bellum, sed ne ad minimam quidem suspicionem belli: legatus in pace profectus, in provincia pacatissima ita se gessit, ut ei pacem esse expediret. Profectio certe animum tuum non debet offendere: num igitur remansio? Multo minus; nam profectio voluntatem habuit non turpem, remansio necessitatem etiam honestam. Ergo hæc duo tempora carent crimine: unum, quum est legatus profectus; alterum, quum efflagitatus a provincia, præpositus Africæ est. 5. Tertium tempus est, quo post adventum Vari in Africa restitit: quod si est criminosum, necessitatis crimen est, non voluntatis. An ille, si potuisset ullo modo evadere, Uticæ quam Romæ, cum P. Atio quam cum concordissimis fratribus, cum alienis esse quam cum suis maluisset? Quum ipsa legatio plena desiderii ac sollicitudinis fuisset propter incredibilem quendam fratrum amorem, hic æquo animo esse potuit belli discidio distractus a fratribus? 6. Nullum igitur habes, Cæsar, adhuc in Q. Ligario signum alienæ a te voluntatis. Cujus ego causam, animadverte, quæso, qua fide defendam: prodo meam. O clementiam admirabilem atque omnium laude, prædicatione, literis monumentisque decorandam! M. Cicero apud te defendit alium in ea voluntate non fuisse, in qua se ipsum confitetur fuisse, nec tuas tacitas cogitationes extimescit nec, quid tibi de alio audienti de se ipso occurrat, reformidat.

III. Vide, quam non reformidem! vide, quanta lux liberalitatis et sapientiæ tuæ mihi apud te dicenti oboriatur! Quantum potero, voce contendam, ut hoc populus Romanus exaudiat. 7. Suscepto bello, Cæsar, gesto etiam ex parte magna, nulla vi coactus, judicio ac voluntate ad ea arma profectus sum, quæ erant sumpta contra te. Apud quem igitur hoc dico? Nempe apud eum, qui, quum hoc sciret, tamen me, antequam vidit, rei publicæ reddidit: qui ad me ex Ægypto literas misit, ut essem idem, qui fuissem: qui

me, quum ipse imperator in toto imperio populi Romani unus esset, esse alterum passus est: a quo, hoc ipso C. Pansa mihi hunc nuntium perferente, concessos fasces laureatos tenui, quoad tenendos putavi: qui mihi tum denique se salutem putavit reddere, si eam nullis spoliatam ornamentis dedisset. 8. Vide, quæso, Tubero, ut, qui de meo facto non dubitem, de Ligarii audeam dicere. Atque hæc propterea de me dixi, ut mihi Tubero, quum de se eadem dicerem, ignosceret; cujus ego industriæ gloriæque faveo vel propter propinquam cognationem, vel quod ejus ingenio studiisque delector, vel quod laudem adolescentis propinqui existimo etiam ad meum aliquem fructum redundare. 9. Sed hoc quæro: quis putat esse crimen fuisse in Africa? Nempe is, qui et ipse in eadem Africa esse voluit et prohibitum se a Ligario queritur, et certe contra ipsum Cæsarem est congressus armatus. Quid enim, Tubero, tuus ille destrictus in acie Pharsalica gladius agebat? cujus latus ille mucro petebat? qui sensus erat armorum tuorum? quæ tua mens, oculi, manus, ardor animi? quid cupiebas? quid optabas? Nimis urgeo; commoveri videtur adolescens: ad me revertar; iisdem in armis fui.

IV. 10. Quid autem aliud egimus, Tubero, nisi ut, quod hic potest, nos possemus? Quorum igitur impunitas, Cæsar, tuæ clementiæ laus est, eorum ipsorum ad crudelitatem te acuet oratio? Atque in hac causa nonnihil equidem, Tubero, etiam tuam, sed multo magis patris tui prudentiam desidero; quod homo quum ingenio, tum etiam doctrina excellens genus hoc causæ quod esset, non viderit: nam, si vidisset, quovis profecto quam isto modo a te agi maluisset. Arguis fatentem; non est satis: accusas eum, qui causam habet aut, ut ego dico, meliorem quam tu: aut, ut tu vis, parem. 11. Hæc admirabilia: sed prodigii simile est, quod dicam. Non habet eam vim ista accusatio, ut Q. Ligarius condemnetur, sed ut necetur. Hoc egit civis Romanus ante te nemo. Externi isti mores usque ad sanguinem incitari odio, aut levium Græcorum aut immanium barbarorum. Nam quid agis aliud? Romæ ne sit? ut domo careat? ne cum optimis fratribus, ne cum hoc T. Broccho, avunculo, ne cum ejus filio, consobrino suo, ne nobiscum vivat? ne sit in patria? Num est? num potest magis carere his omnibus, quam caret? Italia prohibetur, exsulat. Non tu ergo hunc patria privare, qua caret, sed vita vis. 12. At istud ne apud eum quidem dictatorem, qui omnes, quos oderat, morte multabat, quisquam egit isto

modo. Ipse jubebat occidi, nullo postulante; præmiis etiam invitabat; quæ tamen crudelitas ab hoc eodem aliquot annis post, quem tu nunc crudelem esse vis, vindicata est.

V. Ego vero istud non postulo, inquies. Ita mehercule
5 existimo, Tubero. Novi enim te, novi patrem, novi domum nomenque vestrum; studia generis ac familiæ vestræ virtutis, humanitatis, doctrinæ, plurimarum artium atque optimarum nota mihi sunt. 13. Itaque certo scio vos non petere sanguinem. Sed parum attenditis. Res enim eo
10 spectat, ut ea pœna, in qua adhuc Q. Ligarius sit, non videamini esse contenti. Quæ est igitur alia præter mortem? Si enim est in exsilio, sicuti est, quid amplius postulatis? an, ne ignoscatur? Hoc vero multo acerbius multoque durius. Quod nos [domi] petimus precibus, lacrimis, strati
15 ad pedes, non tam nostræ causæ fidentes quam hujus humanitati, id ne impetremus, pugnabis? et in nostrum fletum irrumpes? et nos jacentes ad pedes supplicum voce prohibebis? 14. Si, quum hoc domi faceremus, quod et fecimus et, ut spero, non frustra fecimus, tu repente irru-
20 pisses et clamare cœpisses: "C. Cæsar, cave ignoscas, cave te fratrum pro fratris salute obsecrantium misereat;" nonne omnem humanitatem exuisses? Quanto hoc durius, quod nos domi petimus, id a te in foro oppugnari? te in tali miseria multorum perfugium misericordiæ tollere? 15. Di-
25 cam plane, Cæsar, quod sentio. Si in hac tanta tua fortuna lenitas tanta non esset, quantam tu per te, per te, inquam, obtines (intelligo, quid loquar), acerbissimo luctu redundaret ista victoria. Quam multi enim essent de victoribus, qui te crudelem esse vellent, quum etiam de victis reperi-
30 antur? quam multi, qui, quum a te ignosci nemini vellent, impedirent clementiam tuam, quum etiam ii, quibus ipse ignovisti, nolint te esse in alios misericordem? 16. Quod si probare Cæsari possemus in Africa Ligarium omnino non fuisse; si honesto et misericordi mendacio saluti civi cala-
35 mitoso esse vellemus, tamen hominis non esset in tanto discrimine et periculo civis refellere et redarguere nostrum mendacium: et, si esset alicujus, ejus certe non esset, qui in eadem causa et fortuna fuisset. Sed tamen aliud est errare Cæsarem nolle, aliud nolle misereri. Tunc diceres:
40 "Cæsar, cave credas: fuit in Africa; tulit arma contra te." Nunc quid dicis? "Cave ignoscas." Hæc nec hominis nec ad hominem vox est: qua qui apud te, C. Cæsar, utitur, suam citius abjiciet humanitatem, quam extorquebit tuam.

VI. 17. Ac primus aditus et postulatio Tuberonis hæc,
ut opinor, fuit, velle se de Q. Ligarii scelere dicere. Non
dubito, quin admiratus sis, vel quod de nullo alio quisquam
vel quod is qui in eadem causa fuisset, vel quidnam novi
sceleris afferret. Scelus tu illud vocas, Tubero? cur? 5
Isto enim nomine illa adhuc causa caruit. Alii errorem
appellant; alii timorem; qui durius, spem, cupiditatem,
odium, pertinaciam; qui gravissime, temeritatem: scelus
præter te adhuc nemo. Ac mihi quidem, si proprium et
verum nomen nostri mali quæritur, fatalis quædam calamitas 10
incidisse videtur et improvidas hominum mentes occupavisse;
ut nemo mirari debeat humana consilia divina necessitate
esse superata. 18. Liceat esse miseros; quamquam
hoc victore esse non possumus: sed non loquor de
nobis; de illis loquor, qui occiderunt. Fuerint cupidi, fuerint 15
irati, fuerint pertinaces: sceleris vero crimine, furoris,
parricidii liceat Cn. Pompeio mortuo, liceat multis aliis
carere. Quando hoc quisquam ex te, Cæsar, audivit? aut
tua quid aliud arma voluerunt nisi a te contumeliam propulsare?
quid egit tuus ille invictus exercitus, nisi ut suum 20
jus tueretur et dignitatem tuam? Quid? tu, quum pacem
esse cupiebas, idne agebas, ut tibi cum sceleratis, an ut cum
bonis civibus conveniret? 19. Mihi vero, Cæsar, tua in
me maxima merita tanta certe non viderentur, si me ut
sceleratum a te conservatum putarem. Quomodo autem 25
tu de re publica bene meritus esses, quum tot sceleratos
incolumi dignitate esse voluisses? Secessionem tu illam
existimavisti, Cæsar, initio, non bellum; neque hostile odium,
sed civile dissidium; utrisque cupientibus rem publicam
salvam, sed partim consiliis, partim studiis a communi 30
utilitate aberrantibus. Principum dignitas erat pæne par;
non par fortasse eorum, qui sequebantur: causa tum dubia,
quod erat aliquid in utraque parte, quod probari posset:
nunc melior ea judicanda est, quam etiam dii adjuverunt.
Cognita vero clementia tua, quis non eam victoriam probet, 35
in qua occiderit nemo nisi armatus?

VII. 20. Sed, ut omittam communem causam, veniamus
ad nostram, utrum tandem existimas facilius fuisse, Tubero,
Ligarium ex Africa exire, an vos in Africam non venire?
Poteramusne, inquies, quum senatus censuisset? Si me 40
consulis, nullo modo. Sed tamen Ligarium senatus idem
legaverat. Atque ille eo tempore paruit, quum parere
senatui necesse erat: vos tunc paruistis, quum paruit nemo,
qui noluit. Reprehendo igitur? Minime vero: neque enim

licuit aliter vestro generi, nomini, familiæ, disciplinæ. Sed hoc non concedo, ut, quibus rebus gloriemini in vobis, easdem in aliis reprehendatis. 21. Tuberonis sors conjecta est ex senatus consulto, quum ipse non adesset, morbo
5 etiam impediretur: statuerat excusare. Hæc ego novi propter omnes necessitudines, quæ mihi sunt cum L. Tuberone. Domi una eruditi, militiæ contubernales, post affines, in omni denique vita familiares: magnum etiam vinculum, quod iisdem studiis semper usi sumus. Scio igitur Tube-
10 ronem domi manere voluisse: sed ita quidam agebat, ita rei publicæ sanctissimum nomen opponebat, ut etiamsi aliter sentiret, verborum tamen ipsorum pondus sustinere non posset. 22. Cessit auctoritati amplissimi viri vel potius paruit. Una est profectus cum iis, quorum erat una causa;
15 tardius iter fecit. Itaque in Africam venit jam occupatam. Hinc in Ligarium crimen oritur vel ira potius: nam, si crimen est ullum voluisse, non minus magnum est vos Africam, arcem omnium provinciarum natam ad bellum contra hanc urbem gerendum obtinere voluisse quam ali-
20 quem se maluisse. Atque is tamen aliquis Ligarius non fuit. Varus imperium se habere dicebat; fasces certe habebat. 23. Sed quoquo modo se illud habet, hæc querela vestra quid valet? "Recepti in provinciam non sumus." Quid si essetis? Cæsarine eam tradituri fuistis, an contra
25 Cæsarem retenturi?

VIII. Vide, quid licentiæ, Cæsar, nobis tua liberalitas det vel potius audaciæ. Si responderit Tubero Africam, quo senatus eum sorsque miserat, tibi patrem suum traditurum fuisse, non dubitabo apud ipsum te, cujus id eum
30 facere interfuit, gravissimis verbis ejus consilium reprehendere. Non enim si tibi ea res grata fuisset, esset etiam probata. 24. Sed jam hoc totum omitto; non tam ne offendam tuas patientissimas aures, quam ne Tubero, quod nunquam cogitavit, facturus fuisse videatur. Veniebatis
35 igitur in Africam provinciam, unam ex omnibus huic victoriæ maxime infestam, in qua erat rex potentissimus, inimicus huic causæ, aliena voluntas, conventus firmi atque magni. Quæro, quid facturi fuistis. Quamquam, quid facturi fueritis, dubitem, quum videam, quid feceritis? Prohibiti estis in
40 provincia vestra pedem ponere, et prohibiti summa cum injuria. 25. Quomodo id tulistis? Acceptæ injuriæ querelam ad quem detulistis? Nempe ad eum, cujus auctoritatem secuti in societatem belli veneratis. Quod si Cæsaris causa in provinciam veniebatis, ad eum profecto exclusi

provincia venissetis. Venistis ad Pompeium. Quæ est ergo apud Cæsarem querela, quum eum accusetis, a quo queramini prohibitos vos contra Cæsarem gerere bellum? Atque in hoc quidem vel cum mendacio, si vultis, gloriemini per me licet vos provinciam fuisse Cæsari tradituros. Etiam- 5 si a Varo et a quibusdam aliis prohibiti estis, ego tamen confitebor culpam esse Ligarii, qui vos tantæ laudis occasione privaverit.

IX. 26. Sed vide, quæso, Cæsar, constantiam ornatissimi viri, L. Tuberonis: quam ego, quamvis ipse probarem, ut 10 probo, tamen non commemorarem, nisi a te cognovissem in primis eam virtutem solere laudari. Quæ fuit igitur unquam in ullo homine tanta constantia? constantiam dico? nescio, an melius patientiam possim dicere. Quotus enim istud quisque fecisset, ut, a quibus in dissensione civili non 15 esset receptus, esset etiam cum crudelitate rejectus, ad eos ipsos rediret? Magni cujusdam animi atque ejus viri, quem de suscepta causa propositaque sententia nulla contumelia, nulla vis, nullum periculum possit depellere. 27. Ut enim cetera paria Tuberoni cum Varo fuissent, honos, 20 nobilitas, splendor, ingenium, quæ nequaquam fuerunt; hoc certe præcipuum Tuberonis, quod justo cum imperio ex senatus consulto in provinciam suam venerat. Hinc prohibitus non ad Cæsarem, ne iratus, non domum, ne iners, non in aliquam regionem, ne condemnare causam illam, quam 25 secutus esset, videretur: in Macedoniam ad Cn. Pompeii castra venit, in eam ipsam causam, a qua erat rejectus cum injuria. 28. Quid? quum ista res nihil commovisset ejus animum, ad quem veneratis, languidiore, credo, studio in causa fuistis: tantummodo in præsidiis eratis, animi vero a 30 causa abhorrebant: an, ut fit in civilibus bellis * * * nec in vobis magis quam in reliquis; omnes enim vincendi studio tenebamur. Pacis equidem semper auctor fui: sed tum sero; erat enim amentis, quum aciem videres, pacem cogitare. Omnes, inquam, vincere volebamus: tu certe præci- 35 pue, qui in eum locum venisses, ubi tibi esset pereundum, nisi vicisses: quamquam, ut nunc se res habet, non dubito, quin hanc salutem anteponas illi victoriæ.

X. 29. Hæc ego non dicerem, Tubero, si aut vos constantiæ vestræ, aut Cæsarem beneficii sui pœniteret. Nunc 40 quæro, utrum vestras injurias, an rei publicæ persequamini? Si rei publicæ: quid de vestra in illa causa perseverantia respondebitis? si vestras, videte, ne erretis, qui Cæsarem vestris inimicis iratum fore putetis, quum ignoverit suis.

Itaque num tibi videor in causa Ligarii esse occupatus? num de ejus facto dicere? Quidquid dixi, ad unam summam referri volo vel humanitatis vel clementiæ vel misericordiæ. 30. Causas, Cæsar, egi multas, et quidem tecum,
5 dum te in foro tenuit ratio honorum tuorum; certe nunquam hoc modo: *Ignoscite, judices; erravit; lapsus est; non putavit: si unquam posthac.* Apud parentem sic agi solet: ad judices, *Non fecit, non cogitavit; falsi testes, fictum crimen.* Dic te, Cæsar, de facto Ligarii judicem esse:
10 quibus in præsidiis fuerit, quære. Taceo; ne hæc quidem colligo, quæ fortasse valerent etiam apud judicem; "Legatus ante bellum profectus, relictus in pace, bello oppressus, in eo ipso non acerbus, † totus animo ac studio tuus." Ad judicem sic agi solet; sed ego ad parentem loquor: Erravit,
15 temere fecit, pœnitet: ad clementiam tuam confugio, delicti veniam peto; ut ignoscas, oro. Si nemo impetravit, arroganter; si plurimi, tu idem fer opem, qui spem dedisti. 31. An sperandi Ligario causa non sit, quum mihi apud te locus sit etiam pro altero deprecandi? Quamquam neque
20 in hac oratione spes est posita causæ nec in eorum studiis, qui a te pro Ligario petunt, tui necessarii.

XI. Vidi enim et cognovi, quid maxime spectares, quum pro alicujus salute multi laborarent: causas apud te rogantium gratiosiores esse quam vultus: neque te spectare,
25 quam tuus esset necessarius is, qui te oraret, sed quam illius, pro quo laboraret. Itaque tribuis tu quidem tuis ita multa, ut mihi beatiores illi videantur interdum, qui tua liberalitate fruantur, quam tu ipse, qui illis tam multa concedas. Sed video tamen apud te causas, ut dixi, valere
30 plus quam preces, ab iisque te moveri maxime, quorum justissimum videas dolorem in petendo. 32. In Q. Ligario conservando multis tu quidem gratum facies necessariis tuis; sed, hoc, quæso, considera, quod soles. Possum fortissimos viros, Sabinos, tibi probatissimos, totumque
35 agrum Sabinum, florem Italiæ, robur rei publicæ proponere. Nosti optime homines: animadverte horum omnium mæstitiam et dolorem. Hujus T. Brocchi, de quo non dubito quid existimes, lacrimas squaloremque ipsius et filii vides. 33. Quid de fratribus dicam? Noli, Cæsar, putare, de
40 unius capite nos agere: aut tres tibi Ligarii retinendi in civitate sunt aut tres ex civitate exterminandi. Quodvis exsilium his est optatius, quam patria, quam domus, quam dii penates, uno illo exsulante. Si fraterne, si pie, si cum dolore faciunt, moveant te horum lacrimæ, moveat pietas,

moveat germanitas; valeat tua vox illa, quæ vicit. Te enim dicere audiebamus nos omnes adversarios putare, nisi qui nobiscum essent: te omnes, qui contra te non essent, tuos. Videsne igitur hunc splendorem omnium, hanc Brocchorum domum, hunc L. Marcium, C. Cæsetium, L. Corfidium, 5 hosce omnes equites Romanos, qui adsunt veste mutata, non solum notos tibi, verum etiam probatos viros? Tecum fuerunt. Atque his irascebamur, hos requirebamus, his nonnulli etiam minabantur. Conserva igitur tuis suos: ut, quemadmodum cetera, quæ dicta sunt a te, sic hoc verissi- 10 mum reperiatur.

XII. 34. Quod si penitus perspicere posses concordiam Ligariorum, omnes fratres tecum judicares fuisse. An potest quisquam dubitare, quin, si Q. Ligarius in Italia esse potuisset, in eadem sententia fuisset futurus, in qua fratres 15 fuerunt? Quis est, qui horum consensum conspirantem et pæne conflatum in hac prope æqualitate fraterna non noverit? qui hoc non sentiat, quidvis prius futurum fuisse, quam ut hi fratres diversas sententias fortunasque sequerentur? Voluntate igitur omnes tecum fuerunt: tempestate abreptus 20 est unus; qui si consilio id fecisset, esset eorum similis, quos tu tamen salvos esse voluisti. 35. Sed ierit ad bellum, discesserit non a te solum, verum etiam a fratribus, hi te orant tui. Equidem, quum tuis omnibus negotiis interessem, memoria teneo, qualis tum T. Ligarius 25 quæstor urbanus fuerit erga te et dignitatem tuam. Sed parum est me hoc meminisse: spero etiam te, qui oblivisci nihil soles nisi injurias, quoniam hoc est animi, quoniam etiam ingenii tui, te aliquid de hujus illo quæstorio officio, etiam de aliis quibusdam quæstoribus reminiscentem 30 recordari. 36. Hic igitur T. Ligarius, qui tum nihil egit aliud (neque enim hæc divinabat), nisi ut tu eum tui studiosum et bonum virum judicares, nunc a te supplex fratris salutem petit. Quam hujus admonitus officio quum utrisque his dederis, tres fratres optimos et integerrimos non 35 solum sibi ipsos neque his tot ac talibus viris neque nobis necessariis, sed etiam rei publicæ condonaveris. 37. Fac igitur, quod de homine nobilissimo et clarissimo fecisti nuper in curia, nunc idem in foro de optimis et huic omni frequentiæ probatissimis fratribus. Ut concessisti illum 40 senatui, sic da hunc populo, cujus voluntatem carissimam semper habuisti: et, si ille dies tibi gloriosissimus, populo Romano gratissimus fuit; noli, obsecro, dubitare, C. Cæsar, similem illi gloriæ laudem quam sæpissime quærere. Nihil

est tam populare quam bonitas; nulla de virtutibus tuis plurimis nec admirabilior nec gratior misericordia est; homines enim ad deos nulla re propius accedunt quam salutem hominibus dando. 38. Nihil habet nec fortuna tua majus, 5 quam ut possis, nec natura melius, quam ut velis servare quam plurimos. Longiorem orationem causa forsitan postulat, tua certe natura breviorem. Quare, quum utilius esse arbitrer te ipsum quam me aut quemquam loqui tecum, finem jam faciam: tantum te admonebo, si illi absenti 10 salutem dederis, præsentibus his omnibus te daturum.



PRO
REGE DEIOTARO
AD
CAESAREM
ORATIO.

I. 1. Quum in omnibus causis gravioribus, C. Cæsar, initio dicendi commoveri soleam vehementius, quam videatur vel usus vel ætas mea postulare, tum in hac causa ita me multa perturbant, ut, quantum mea fides studii mihi afferat ad salutem regis Deiotari defendendam, tantum 5 facultatis timor detrahat. Primum dico pro capite fortunisque regis; quod ipsum etsi non iniquum est in tuo dumtaxat periculo, tamen est ita inusitatum, regem reum capitis esse, ut ante hoc tempus non sit auditum. 2. Deinde eum regem, quem ornare antea cuncto cum senatu solebamus 10 pro perpetuis ejus in nostram rem publicam meritis, nunc contra atrocissimum crimen cogor defendere. Accedit, ut accusatorum alterius crudelitate, alterius indignitate conturber. Crudelis Castor, ne dicam sceleratum et impium; qui nepos avum in capitis discrimen adduxerit ado- 15 lescentiæque suæ terrorem intulerit ei, cujus senectutem tueri et tegere debebat, commendationemque ineuntis ætatis ab impietate et scelere duxerit; avi servum, corruptum præmiis, ad accusandum dominum impulerit, a legatorum pedibus abduxerit. 3. Fugitivi autem dominum accusantis, 20 et dominum absentem et dominum amicissimum nostræ rei publicæ, quum os videbam, quum verba audiebam, non tam afflictam regiam conditionem dolebam, quam de fortunis communibus extimescebam. Nam quum more majorum de servo in dominum ne tormentis quidem quæri liceat, in

qua quæstione dolor elicere veram vocem possit etiam ab invito: exortus est servus, qui quem in equuleo appellare non posset, eum accuset solutus.

II. 4. Perturbat me, C. Cæsar, etiam illud interdum;
5 quod tamen, quum te penitus recognovi, timere desino: re enim iniquum est, sed tua sapientia fit æquissimum. Nam dicere apud eum de facinore, contra cujus vitam consilium facinoris inisse arguare, si per se ipsum consideres, grave est; nemo enim fere est, qui sui periculi judex, non sibi se
10 æquiorem quam reo præbeat. Sed tua, Cæsar, præstans singularisque natura hunc mihi metum minuit; non enim tam timeo, quid tu de rege Deiotaro, quam intelligo, quid de te ceteros velis judicare. 5. Moveor etiam loci ipsius insolentia, quod tantam causam, quanta nulla unquam in
15 disceptatione versata est, dico intra domesticos parietes, dico extra conventum et eam frequentiam, in qua oratorum studia niti solent: in tuis oculis, in tuo ore vultuque acquiesco; te unum intueor; ad te unum omnis mea spectat oratio. Quæ mihi ad spem obtinendæ veritatis gravissima
20 sunt, ad motum animi et ad omnem impetum dicendi contentionemque leviora. 6. Hanc enim, C. Cæsar, causam si in foro dicerem, eodem audiente et disceptante te, quantam mihi alacritatem populi Romani concursus afferret! Quis enim civis ei regi non faveret, cujus omnem ætatem in
25 populi Romani bellis consumptam esse meminisset? Spectarem curiam, intuerer forum, cœlum denique testarer ipsum. Sic, quum et deorum immortalium et populi Romani et senatus beneficia in regem Deiotarum recordarer, nullo modo mihi deesse posset oratio. 7. Quæ quoniam angusti-
30 ora parietes faciunt, actioque maximæ causæ debilitatur loco, tuum est, Cæsar, qui pro multis sæpe dixisti, quid mihi nunc animi sit, ad te ipsum referre; quo facilius quum æquitas tua, tum audiendi diligentia minuat hanc perturbationem meam. Sed antequam de accusatione ipsa dico, de
35 accusatorum spe pauca dicam. Qui quum videantur nec ingenio nec usu atque exercitatione rerum valere, tamen ad hanc causam non sine aliqua spe et cogitatione venerunt.

III. 8. Iratum te regi Deiotaro fuisse non erant nescii; affectum illum quibusdam incommodis et detrimentis propter
40 offensionem animi tui meminerant; [teque quum huic iratum, tum sibi amicum esse cognoverant;] quumque apud ipsum te de tuo periculo dicerent, fore putabant, ut in exulcerato animo facile fictum crimen insideret. Quamobrem hoc nos primum, Cæsar, metu, per fidem et constantiam et per clemen-

tiam tuam, libera, ne residere in te ullam partem iracundiæ suspicemur. Per dexteram istam te oro, quam regi Deiotaro hospes hospiti porrexisti: istam, inquam, dexteram, non tam in bellis nec in prœliis quam in promissis et fide firmiorem. Tu illius domum inire, tu vetus hospitium 5 renovare voluisti; te ejus dii penates acceperunt; te amicum et placatum Deiotari regis aræ focique viderunt. 9. Quum facile [exorari], Cæsar, tum semel exorari soles; nemo unquam te placavit inimicus, qui ullas resedisse in te simultatis reliquias senserit. Quamquam cui sunt inauditæ cum 10 Deiotaro querelæ tuæ? Nunquam tu illum accusavisti ut hostem, sed ut amicum officio parum functum, quod propensior in Cn. Pompeii amicitiam fuisset quam in tuam. Cui tamen ipsi rei veniam te daturum fuisse dicebas, si tantum auxilia Pompeio vel si etiam filium misisset, ipse 15 ætatis excusatione usus esset. Ita quum maximis eum rebus liberares, perparvam amicitiæ culpam relinquebas. 10. Itaque non solum in eum non animadvertisti, sed omni metu liberavisti, hospitem agnovisti, regem reliquisti. IV. Neque enim ille odio tui progressus, sed errore communi lapsus 20 est. Is rex, quem senatus hoc nomine sæpe honorificentissimis decretis appellavisset, quique quum illum ordinem ab adolescentia gravissimum sanctissimumque duxisset, iisdem rebus est perturbatus, homo longinquus et alienigena, quibus nos in media re publica nati semperque versati, 25 11. quum audiret senatus consentientis auctoritate arma sumpta; consulibus, prætoribus, tribunis plebi, nobis imperatoribus rem publicam defendendam datam, movebatur animo et vir huic imperio amicissimus de salute populi Romani extimescebat, in qua etiam suam esse inclusam 30 videbat; in summo tamen timore quiescendum sibi esse arbitrabatur. Maxime vero perturbatus est, ut audivit, consules ex Italia profugisse, omnesque consulares (sic enim ei nunciabatur), cunctum senatum, totam Italiam esse effusam: talibus enim nuntiis et rumoribus patebat ad Orientem 35 via, nec ulli veri subsequebantur. Nihil ille de conditionibus tuis, nihil de studio concordiæ et pacis, nihil de conspiratione audiebat certorum hominum contra dignitatem tuam. Quæ quum ita essent, tamen usque eo se tenuit, quoad a Cn. Pompeio legati ad eum literæque venerunt. 12. Ignosce, ignosce, Cæsar, si ejus viri auctoritati rex Deiotarus 40 cessit, quem nos omnes secuti sumus; ad quem quum dii atque homines omnia ornamenta congessissent, tum tu ipse plurima et maxima. Neque enim, si tuæ res gestæ cetero-

rum laudibus obscuritatem attulerunt, idcirco Cn. Pompeii memoriam amisimus. Quantum nomen ejus fuerit, quantæ opes, quanta in omni genere bellorum gloria, quanti honores populi Romani, quanti senatus, quanti tui, quis ignorat?
5 Tanto ille superiores vicerat gloria, quanto tu omnibus præstitisti. Itaque Cn. Pompeii bella, victorias, triumphos, consulatus admirantes numerabamus; tuos enumerare non possumus.

V. 13. Ad eum igitur rex Deiotarus venit hoc misero
10 fatalique bello, quem antea justis hostilibusque bellis adjuverat, quocum erat non hospitio solum, verum etiam familiaritate conjunctus; et venit vel rogatus, ut amicus, vel arcessitus, ut socius, vel evocatus, ut is, qui senatui parere didicisset; postremo venit ut ad fugientem, non ut ad
15 insequentem, id est ad periculi, non ad victoriæ societatem. Itaque Pharsalico prœlio facto a Pompeio discessit; spem infinitam persequi noluit; vel officio, si quid debuerat, vel errori, si quid nescierat, satisfactum esse duxit; domum se contulit atque Alexandrinum bellum gerente te utilitati-
20 bus tuis paruit. 14. Ille exercitum Cn. Domitii amplissimi viri suis tectis et copiis sustentavit; ille Ephesum ad eum, quem tu ex tuis fidelissimum et probatissimum omnibus delegisti, pecuniam misit, ille iterum, ille tertio auctionibus factis pecuniam dedit, qua ad bellum uterere; ille
25 corpus suum periculo objecit, tecumque in acie contra Pharnacem fuit, tuumque hostem esse duxit suum. Quæ quidem a te in eam partem accepta sunt, Cæsar, ut eum amplissimo honore et regis nomine affeceris. 15. Is igitur, non modo a te periculo liberatus, sed etiam honore amplis-
30 simo ornatus, arguitur domi te suæ interficere voluisse. Quod tu, nisi eum furiosissimum judices, suspicari profecto non potes. Ut enim omittam, cujus tanti sceleris fuerit, in conspectu deorum penatium necare hospitem; cujus tantæ importunitatis omnium gentium atque omnis memoriæ cla-
35 rissimum lumen exstinguere; cujus tantæ ferocitatis victorem orbis terrarum non extimescere; cujus tam inhumani et ingrati animi, a quo rex appellatus esset, in eo tyrannum inveniri: ut hæc omittam, cujus tanti furoris fuit omnes reges, quorum multi erant finitimi, omnes liberos populos,
40 omnes socios, omnes provincias, omnia denique omnium arma contra se unum excitare? Quonam ille modo cum regno, cum domo, cum conjuge, cum carissimo filio distractus esset, tanto scelere non modo perfecto, sed etiam cogitato?

VI. 16. At, credo, hæc homo inconsultus et temerarius non videbat.—Quis consideratior illo? quis tectior? quis prudentior? quamquam hoc loco Deiotarum non tam ingenio et prudentia quam fide et religione vitæ defendendum puto. Nota tibi est hominis probitas, C. Cæsar, noti mores, nota constantia. Cui porro, qui modo populi Romani nomen audivit, Deiotari integritas, gravitas, virtus, fides non audita est? Quod igitur facinus nec in hominem imprudentem cadere posset propter metum præsentis exitii, nec in facinorosum, nisi esset idem amentissimus, id vos et a viro optimo et ab homine minime stulto cogitatum esse confingitis. 17. At quam non modo non credibiliter, sed ne suspiciose quidem! Quum, inquit, in castellum Luceium venisses et domum regis, hospitis tui, devertisses, locus erat quidam, in quo erant ea composita, quibus te rex munerare constituerat. Huc te e balneo, priusquam accumberes, ducere volebat: ibi enim erant armati, qui te interficerent, in eo ipso loco collocati. En crimen, en causa, cur regem fugitivus, dominum servus accuset. Ego mehercules, Cæsar, initio, quum est ad me ista causa delata, Phidippum medicum, servum regium, qui cum legatis missus esset, ab isto adolescente esse corruptum, hac sum suspicione percussus: medicum indicem subornavit; finget videlicet aliquod crimen veneni. Etsi a veritate longe, tamen a consuetudine criminandi non multum res abhorrebat. 18. Quid ait medicus? Nihil de veneno. At id fieri potuit primo occultius in potione, in cibo; deinde etiam impunius fit, quod quum est factum, negari potest. Si palam te interemisset, omnium in se gentium non solum odia, sed etiam arma convertisset; si veneno, Jovis ille quidem hospitalis numen nunquam celare potuisset, homines fortasse celasset. Quod igitur et conari occultius et efficere cautius potuit, id tibi, et medico callido et servo, ut putabat, fideli, non credidit? de armis, de ferro, de insidiis celare te noluit? 19. At quam festive crimen contexitur! Tua te, inquit, eadem, quæ semper, fortuna servavit: negavisti tum te inspicere velle.

VII. Quid postea? an Deiotarus re illo tempore non perfecta continuo dimisit exercitum? nullus erat alius insidiandi locus? At eodem te, quum cœnavisses, rediturum dixeras: itaque fecisti. Horam unam aut duas eodem loco armatos, ut collocati fuerant, retinere magnum fuit? Quum in convivio comiter et jucunde fuisses, tum illuc isti, ut dixeras. Quo in loco Deiotarum talem erga te cognovisti,

qualis rex Attalus in P. Africanum fuit: cui magnificentissima dona, ut scriptum legimus, usque ad Numantiam misit ex Asia; quæ Africanus inspectante exercitu accepit. Quod quum præsens Deiotarus regio et animo et more fecisset, tu in cubiculum discessisti. 20. Obsecro, Cæsar, repete illius temporis memoriam, pone illum ante oculos diem, vultus hominum te intuentium atque admirantium recordare. Num quæ trepidatio? num qui tumultus? num quid nisi moderate, nisi quiete, nisi ex hominis gravissimi et sanctissimi disciplina? Quid igitur causæ excogitari potest, cur te lotum voluerit, cœnatum noluerit occidere? 21. In posterum, inquit, diem distulit, ut quum in castellum Luceium ventum esset, ibi cogitata perficeret. Non video causam mutandi loci; sed tamen acta res criminose est. Quum, inquit, vomere post cœnam te velle dixisses, in balneum te ducere cœperunt: ibi enim erant insidiæ. At te eadem tua illa fortuna servavit: in cubiculo malle dixisti. Dii te perduint, fugitive! ita non modo nequam et improbus, sed etiam fatuus et amens es. Quid? ille signa ænea in insidiis posuerat, quæ e balneo in cubiculum transferri non possent? Habes crimina insidiarum: nihil enim dixit amplius: horum, inquit, eram conscius. Quid tum? ita ille demens erat, ut eum, quem tanti sceleris conscium haberet, a se dimitteret? Romam etiam mitteret, ubi et inimicissimum sciret esse nepotem suum, et C. Cæsarem cui fecisset insidias? præsertim quum is unus esset, qui posset de absente se judicare? 22. Et fratres meos, inquit, quod erant conscii, in vincula conjecit. Quum igitur eos vinciret, quos secum habebat, te solutum Romam mittebat, qui eadem scires, quæ illos scire dicis?

VIII. Reliqua pars accusationis duplex fuit: una, regem semper in speculis fuisse, quum a te animo esset alieno; altera, exercitum eum contra te magnum comparasse. De exercitu dicam breviter, ut cetera. Nunquam eas copias rex Deiotarus habuit, quibus inferre bellum populo Romano posset; sed quibus fines suos ab excursionibus et latrociniis tueretur et imperatoribus nostris auxilia mitteret. Atque antea quidem majores copias alere poterat; nunc exiguas vix tueri potest. 23. At misit ad Cæcilium nescio quem: sed eos, quos misit, quod ire noluerunt, in vincula conjecit. Non quæro, quam veri simile sit aut non habuisse regem, quos mitteret, aut eos, quos misisset, non paruisse; aut qui dicto audientes in tanta re non fuissent, eos vinctos potius quam necatos. Sed tamen quum ad Cæcilium mittebat,

utrum causam illam victam esse nesciebat, an Cæcilium istum magnum hominem putabat? quem profecto is, qui optime nostros homines novit, vel quia nosset vel quia non nosset, contemneret. 24. Addit etiam illud, equites non optimos misisse. Credo, Cæsar; nihil ad tuum equitatum; 5 sed misit ex iis, quos habuit, delectos. At nescio quem ex eo numero servum judicatum. Non arbitror, non audivi; sed in eo, etiam si accidisset, culpam regis nullam fuisse arbitrarer.

IX. Alieno autem a te animo quomodo? Speravit, 10 credo, difficiles tibi Alexandreæ fore exitus propter regionum naturam et fluminis. At eo tempore ipso pecuniam dedit, exercitum aluit; ei, quem Asiæ præfeceras, nulla in re defuit; tibi victori non solum ad hospitium, sed ad periculum etiam atque ad aciem præsto fuit. 25. Secutum 15 est bellum Africanum; graves de te rumores; qui etiam furiosum illum Cæcilium excitaverunt. Quo tum rex animo fuit? qui auctionatus sit seseque spoliare maluerit quam tibi pecuniam non subministrare. At eo, inquit, tempore ipso Nicæam Ephesumque mittebat, qui rumores Africanos 20 exciperent et celeriter ad se referrent. Itaque quum esset ei nunciatum, Domitium naufragio perisse, te in castello circumsederi, de Domitio dixit versum Græcum eadem sententia, qua etiam nos habemus Latinum:

Pereánt amici, dum úna inimici intércidant 25

quod ille, si esset tibi inimicissimus, nunquam tamen dixisset: ipse enim mansuetus, versus immanis. Qui autem Domitio poterat esse amicus, qui tibi esset inimicus? Tibi porro inimicus cur esset, a quo quum vel interfici belli lege potuisset, regem et se et filium suum constitutos esse meminisset? 26. Quid deinde? furcifer quo progreditur? Ait, hac lætitia Deiotarum elatum vino se obruisse, in convivioque nudum saltavisse. Quæ crux huic fugitivo potest satis supplicii afferre? Deiotarum saltantem quisquam aut ebrium vidit unquam? Omnes in illo sunt rege virtutes, 35 quod te, Cæsar, ignorare non arbitror, sed præcipue singularis et admiranda frugalitas: etsi hoc verbo scio laudari regem non solere. Frugi hominem dici non multum habet laudis in rege; fortem, justum, severum, gravem, magnanimum, largum, beneficum, liberalem, hæ sunt regiæ lau- 40 des; illa privata est. Ut volet quisque accipiat; ego tamen frugalitatem, id est, modestiam et temperantiam, virtutem maximam judico. Hæc in illo est ab ineunte ætate quum

a cuncta Asia, tum a magistratibus legatisque nostris, tum ab equitibus Romanis qui in Asia negotiati sunt, perspecta et cognita. 27. Multis ille quidem gradibus officiorum erga rem publicam nostram ad hoc regium nomen ascendit;
5 sed tamen quidquid a bellis populi Romani vacabat, cum hominibus nostris consuetudines, amicitias, res rationesque jungebat, ut non solum tetrarches nobilis, sed etiam optimus paterfamilias et diligentissimus agricola et pecuarius haberetur. Qui igitur adolescens, nondum tanta gloria præditus,
10 nihil unquam nisi severissime et gravissime fecerit, is ea existimatione eaque ætate saltavit?

X. 28. Imitari, Castor, potius avi tui mores disciplinamque debebas quam optimo et clarissimo viro fugitivi ore maledicere. Quod si saltatorem avum habuisses, neque
15 eum virum, unde pudoris pudicitiæque exempla peterentur tamen hoc maledictum minime in illam ætatem conveniret. Quibus ille studiis ab ineunte ætate se imbuerat, non saltandi, sed bene ut armis, optime ut equis uteretur, ea tamen illum cuncta jam exacta ætate defecerant. Itaque
20 Deiotarum quum plures in equum sustulissent, quod hærere in eo senex posset, admirari solebamus. Hic vero adolescens, qui meus in Cilicia miles, in Græcia commilito fuit, quum in illo nostro exercitu equitaret cum suis delectis equitibus, quos una cum eo ad Pompeium pater miserat,
25 quos concursus facere solebat! quam se jactare! quam ostentare! quam nemini in illa causa studio et cupiditate concedere! 29. Quum vero exercitu amisso ego, qui pacis semper auctor, post Pharsalicum prœlium suasor fui armorum non deponendorum, sed abjiciendorum: hunc ad meam
30 auctoritatem non potui adducere, quod et ipse ardebat studio ipsius belli, et patri satisfaciendum esse arbitrabatur. Felix ista domus, quæ non impunitatem solum adepta sit, sed accusandi etiam licentiam; calamitosus Deiotarus, † qui ab eo, qui in iisdem castris fuerit, non modo apud te, sed
35 etiam a suis accusetur. Vos vestra secunda fortuna, Castor, non potestis sine propinquorum calamitate esse contenti?

XI. 30. Sint sane inimicitiæ, quæ esse non debebant: rex enim Deiotarus vestram familiam abjectam et obscuram
40 e tenebris in lucem evocavit. Quis tuum patrem antea qui esset, quam cujus gener esset audivit? Sed quamvis ingrate et impie necessitudinis nomen repudiaretis, tamen inimicitias hominum more gerere poteratis, non ficto crimine insectari, non expetere vitam, non capitis arcessere. Esto;

concedatur hæc quoque acerbitas et odii magnitudo: adeone, ut omnia vitæ salutisque communis atque etiam humanitatis jura violentur? Servum sollicitare verbis, spe promissisque corrumpere, abducere domum, contra dominum armare, hoc est non uni propinquo, sed omnibus familiis 5 nefarium bellum indicere. Nam ista corruptela servi, si non modo impunita fuerit, sed etiam a tanta auctoritate approbata, nulli parietes nostram salutem, nullæ leges, nulla jura custodient. Ubi enim id, quod intus est atque nostrum, impune evolare potest contraque nos pugnare, fit 10 in dominatu servitus, in servitute dominatus. 31. O tempora, o mores! Cn. Domitius ille, quem nos pueri consulem, censorem, pontificem maximum vidimus, quum tribunus plebi M. Scaurum principem civitatis in judicium populi vocasset Scaurique servus ad eum clam domum venisset et 15 crimina in dominum delaturum se esse dixisset, prehendi hominem jussit ad Scaurumque deduci. Vide, quid intersit; etsi inique Castorem cum Domitio comparo: sed tamen ille inimico servum remisit, tu ab avo abduxisti; ille incorruptum audire noluit, tu corrupisti; ille adjutorem servum 20 contra dominum repudiavit, tu etiam accusatorem adhibuisti. 32. At semel iste est corruptus a vobis? Nonne quum esset productus et quum tecum fuisset, refugit ad legatos? nonne etiam ad hunc Cn. Domitium venit? nonne audiente hoc Ser. Sulpicio clarissimo viro, qui tum casu 25 apud Domitium cœnabat, et hoc T. Torquato, optimo adolescente, se a te corruptum, tuis promissis in fraudem impulsum esse confessus est?

XII. Quæ est ista tam impotens, tam crudelis, tam immoderata inhumanitas? idcirco in hanc urbem venisti, 30 ut hujus urbis jura et exempla corrumperes, domesticaque immanitate nostræ civitatis humanitatem inquinares? 33. At quam acute collecta crimina! Blesamius, inquit, (ejus enim nomine, optimi viri nec tibi ignoti, maledicebat tibi,) ad regem scribere solebat te in invidia esse, tyrannum 35 existimari; statua inter reges posita animos hominum vehementer offensos; plaudi tibi non solere. Nonne intelligis, Cæsar, ex urbanis malevolorum sermunculis hæc ab istis esse collecta? Blesamius tyrannum Cæsarem scriberet? Multorum enim capita civium viderat; multos jussu 40 Cæsaris vexatos, verberatos, necatos; multas afflictas et eversas domos; armatis militibus refertum forum. Quæ semper in civili victoria sensimus, ea te victore non vidimus. 34. Solus, inquam, es, C. Cæsar, cujus in victoria ceciderit

nemo nisi armatus. Et quem nos liberi, in summa populi Romani libertate nati, non modo non tyrannum sed etiam clementissimum in victoria ducimus, is Blesamio, qui vivit in regno, tyrannus videri potest? Nam de statua quis
5 queritur, una præsertim, quum tam multas videat? Valde enim invidendum est ejus statuis, cujus tropæis non invidimus. Nam si locus affert invidiam, nullus est ad statuam quidem Rostris clarior. De plausu autem quid respondeam? qui nec desideratus unquam a te est, et nonnun-
10 quam, obstupefactis hominibus, ipsa admiratione compressus est, et fortasse eo prætermissus, quia nihil vulgare te dignum videri potest.

XIII. 35. Nihil a me arbitror prætermissum, sed aliquid ad extremam causæ partem reservatum. Id autem aliquid
15 est, te ut plane Deiotaro reconciliet oratio mea: non enim jam metuo, ne illi tu succenseas; illud vereor, ne tibi illum succensere aliquid suspicere. Quod abest longissime, mihi crede, Cæsar: quid enim retineat per te, meminit, non quid amiserit; neque se a te multatum arbitratur; sed quum
20 existimares multis tibi multa esse tribuenda, quominus a se, qui in altera parte fuisset, ea sumeres, non recusavit. 36. Etenim si Antiochus magnus ille, rex Asiæ, posteaquam a L. Scipione devictus Tauro tenus regnare jussus esset omnemque hanc Asiam, quæ est nunc nostra pro-
25 vincia, amisisset, dicere est solitus, benigne sibi a populo Romano esse factum, quod nimis magna procuratione liberatus modicis regni terminis uteretur, potest multo facilius se Deiotarus consolari. Ille enim furoris multam sustulerat, hic erroris. Omnia tu Deiotaro, Cæsar, tribuisti, quum et
30 ipsi et filio nomen regium concessisti. Hoc nomine retento atque servato nullum beneficium populi Romani, nullum judicium de se senatus imminutum putat; magno animo et erecto est, nec unquam succumbet inimicis, ne fortunæ quidem. 37. Multa se arbitratur et peperisse ante factis et
35 habere in animo atque virtute, quæ nullo modo possit amittere. Quæ enim fortuna aut quis casus aut quæ tanta possit injuria omnium imperatorum de Deiotaro decreta delere? ab omnibus est enim iis ornatus, qui, posteaquam in castris esse potuit per ætatem, in Asia, Cappadocia, Ponto, Cilicia,
40 Syria bella gesserunt. Senatus vero judicia de illo tam multa tamque honorifica, quæ publicis populi Romani literis monumentisque consignata sunt, quæ unquam vetustas obruet aut quæ tanta delebit oblivio? Quid de virtute ejus dicam? de magnitudine animi, gravitate, constantia?

quæ omnes docti atque sapientes summa, quidam etiam sola bona esse dixerunt, hisque non modo ad bene, sed etiam ad beate vivendum contentam esse virtutem. 38. Hæc ille reputans, et dies noctesque cogitans, non modo tibi non succenset, (esset enim non solum ingratus, sed 5 etiam amens), verum omnem tranquillitatem et quietem senectutis acceptam refert clementiæ tuæ.

XIV. Quo quidem animo quum antea fuit, tum non dubito, quin tuis literis, quarum exemplum legi, quas ad eum Tarracone huic Blesamio dedisti, se magis etiam ere- 10 xerit ab omnique sollicitudine abstraxerit. Jubes enim bene sperare et bono esse animo: quod scio te non frustra scribere solere; memini enim iisdem fere verbis ad me te scribere meque tuis literis bene sperare non frustra esse jussum. 39. Laboro equidem regis Deiotari causa, quocum 15 mihi amicitiam res publica conciliavit, hospitium voluntas utriusque conjunxit, familiaritatem consuetudo attulit, summam vero necessitudinem magna ejus officia et in me et in exercitum meum effecerunt; sed quum de illo laboro, tum de multis amplissimis viris, quibus semel ignotum a te esse 20 oportet, nec beneficium tuum in dubium vocari, nec hærere in animis hominum sollicitudinem sempiternam nec accidere, ut quisquam te timere incipiat eorum, qui sint semel a te liberati timore. 40. Non debeo, C. Cæsar, quod fieri solet in tantis periculis, tentare, ecquonam modo dicendo miseri- 25 cordiam tuam commovere possim. Nihil opus est; occurrere solet ipsa supplicibus et calamitosis, nullius oratione evocata. Propone tibi duos reges, et id animo contemplare, quod oculis non potes. Dabis profecto misericordiæ, quod iracundiæ denegavisti. Multa sunt tuæ clementiæ monu- 30 menta, sed maxime eorum incolumitates, quibus salutem dedisti. Quæ si in privatis gloriosa sunt, multo magis commemorabuntur in regibus. Semper regium nomen in hac civitate sanctum fuit; sociorum vero regum et amicorum sanctissimum. 35

XV. 41. Quod nomen hi reges ne amitterent, te victore timuerunt; retentum vero et a te confirmatum posteris etiam suis tradituros esse confido. Corpora sua pro salute regum suorum hi legati tibi regii tradunt, Hieras et Blesamius et Antigonus, tibi nobisque omnibus jamdiu noti, eademque 40 fide et virtute præditus Dorylaus, qui nuper cum Hiera legatus est ad te missus, quum regum amicissimi, tum tibi etiam, ut spero, probati. 42. Exquire de Blesamio, numquid ad regem contra dignitatem tuam scripserit. Hieras

quidem causam omnem suscipit et criminibus illis pro rege se supponit reum; memoriam tuam implorat, qua vales plurimum; negat unquam se a te in Deiotari tetrarchia pedem discessisse; in primis finibus tibi se præsto fuisse 5 dicit, usque ad ultimos prosecutum; quum e balneo exisses, tecum se fuisse, quum illa munera inspexisses cœnatus, quum in cubiculo recubuisses; eandemque assiduitatem tibi se præbuisse postridie. 43. Quamobrem si quid eorum, quæ objecta sunt, cogitatum sit, non recusat, quin id suum 10 facinus judices. Quocirca, C. Cæsar, velim existimes, hodierno die sententiam tuam aut cum summo dedecore miserrimam pestem importaturam esse regibus, aut incolumem famam cum salute, quorum alterum optare illorum crudelitatis est, alterum conservare clementiæ tuæ.



PRO

A. LICINIO ARCHIA

POETA

ORATIO.

I. 1. Si quid est in me ingenii, judices, quod sentio quam sit exiguum, aut si qua exercitatio dicendi, in qua me non infitior mediocriter esse versatum, aut si hujusce rei ratio aliqua ab optimarum artium studiis ac disciplina profecta, a qua ego nullum confiteor ætatis meæ tempus 5 abhorruisse: earum rerum omnium vel in primis hic A. Licinius fructum a me repetere prope suo jure debet. Nam quoad longissime potest mens mea respicere spatium præteriti temporis et pueritiæ memoriam recordari ultimam, inde usque repetens hunc video mihi principem et ad susci- 10 piendam et ad ingrediendam rationem horum studiorum exstitisse. Quodsi hæc vox hujus hortatu præceptisque conformata nonnullis aliquando saluti fuit; a quo id accepimus, quo ceteris opitulari et alios servare possemus, huic profecto ipsi, quantum est situm in nobis, et opem et salu- 15 tem ferre debemus. 2. Ac ne quis a nobis hoc ita dici forte miretur, quod alia quædam in hoc facultas sit ingenii neque hæc dicendi ratio aut disciplina, ne nos quidem huic uni studio penitus unquam dediti fuimus. Etenim omnes artes, quæ ad humanitatem pertinent, habent quoddam 20 commune vinculum et quasi cognatione quadam inter se continentur.

II. 3. Sed ne cui vestrum mirum esse videatur me in quæstione legitima et in judicio publico, quum res agatur apud prætorem populi Romani, rectissimum virum, et apud 25 severissimos judices tanto conventu hominum ac frequentia,

hoc uti genere dicendi, quod non modo a consuetudine judiciorum, verum etiam a forensi sermone abhorreat: quæso a vobis, ut in hac causa mihi detis hanc veniam, accommodatam huic reo, vobis, quemadmodum spero, non
5 molestam, ut me pro summo poeta atque eruditissimo homine dicentem hoc concursu hominum literatissimorum, hac vestra humanitate, hoc denique prætore exercente judicium, patiamini de studiis humanitatis ac literarum paulo loqui liberius et in ejusmodi persona, quæ propter
10 otium ac studium minime in judiciis periculisque tractata est, uti prope novo quodam et inusitato genere dicendi. 4. Quod si mihi a vobis tribui concedique sentiam, perficiam profecto, ut hunc A. Licinium non modo non segregandum, quum sit civis, a numero civium, verum etiam, si non esset,
15 putetis adsciscendum.

III. Nam ut primum ex pueris excessit Archias atque ab iis artibus, quibus ætas puerilis ad humanitatem informari solet, se ad scribendi studium contulit, primum Antiochiæ (nam ibi natus est loco nobili), celebri quondam urbe et co-
20 piosa atque eruditissimis hominibus liberalissimisque studiis affluenti, celeriter antecellere omnibus ingenii gloria contigit. Post in ceteris Asiæ partibus cunctaque Græcia sic ejus adventus celebrabantur, ut famam ingenii exspectatio hominis, exspectationem ipsius adventus admiratioque superaret. 5.
25 Erat Italia tunc plena Græcarum artium ac disciplinarum studiaque hæc et in Latio vehementius tum colebantur quam nunc iisdem in oppidis, et hic Romæ propter tranquillitatem rei publicæ non negligebantur. Itaque hunc et Tarentini et Rhegini et Neapolitani civitate ceterisque præmiis dona-
30 runt; et omnes, qui aliquid de ingeniis poterant judicare, cognitione atque hospitio dignum existimarunt. Hac tanta celebritate famæ quum esset jam absentibus notus, Romam venit Mario consule et Catulo. Nactus est primum consules eos, quorum alter res ad scribendum maximas, alter
35 quum res gestas, tum etiam studium atque aures adhibere posset. Statim Luculli, quum prætextatus etiam tum Archias esset, eum domum suam receperunt. † Sed etiam hoc non solum ingenii ac literarum, verum etiam naturæ atque virtutis, ut domus, quæ hujus adolescentiæ prima
40 patuit, eadem esset familiarissima senectuti. 6. Erat temporibus illis jucundus Metello illi Numidico et ejus Pio filio; audiebatur a M. Æmilio; vivebat cum Q. Catulo et patre et filio; a L. Crasso colebatur; Lucullos vero et Drusum et Octavios et Catonem et totam Hortensiorum

domum devinctam consuetudine quum teneret, afficiebatur summo honore, quod eum non solum colebant, qui aliquid percipere atque audire studebant, verum etiam, si qui forte simulabant.

IV. Interim satis longo intervallo, quum esset cum L. Lucullo in Siciliam profectus et quum ex ea provincia cum eodem Lucullo decederet, venit Heracliam. Quæ quum esset civitas æquissimo jure ac fœdere, adscribi se in eam civitatem voluit: idque, quum ipse per se dignus putaretur, tum auctoritate et gratia Luculli ab Heracliensibus impetravit. 7. Data est civitas Silvani lege et Carbonis, SI QUI FŒDERATIS CIVITATIBUS ADSCRIPTI FUISSENT, SI TUM, QUUM LEX FEREBATUR, IN ITALIA DOMICILIUM HABUISSENT, ET, SI SEXAGINTA DIEBUS APUD PRÆTOREM ESSENT PROFESSI. 8. Quum hic domicilium Romæ multos jam annos haberet, professus est apud prætorem, Q. Metellum, familiarissimum suum. Si nihil aliud nisi de civitate ac lege dicimus, nihil dico amplius: causa dicta est. Quid enim horum infirmari, Grati, potest? Heracliæne esse tum adscriptum negabis? Adest vir summa auctoritate et religione et fide, L. Lucullus, qui se non opinari, sed scire, non audivisse, sed vidisse, non interfuisse, sed egisse dicit. Adsunt Heraclienses legati, nobilissimi homines: hujus judicii causa cum mandatis et cum publico testimonio venerunt, qui hunc adscriptum Heracliensem dicunt. Hic tu tabulas desideras Heracliensium publicas, quas Italico bello incenso tabulario interisse scimus omnes. Est ridiculum ad ea, quæ habemus, nihil dicere, quærere, quæ habere non possumus, et de hominum memoria tacere, literarum memoriam flagitare; et, quum habeas amplissimi viri religionem, integerrimi municipii jus jurandum fidemque, ea, quæ depravari nullo modo possunt, repudiare, tabulas, quas idem dicis solere corrumpi, desiderare. 9. An domicilium [Romæ] non habuit? qui tot annis ante civitatem datam sedem omnium rerum ac fortunarum suarum Romæ collocavit? An non est professus? Immo vero iis tabulis professus, quæ solæ ex illa professione collegioque prætorum obtinent publicarum tabularum auctoritatem.

V. Nam quum Appii tabulæ negligentius asservatæ dicerentur, Gabinii, quamdiu incolumis fuit, levitas, post damnationem calamitas, omnem tabularum fidem resignasset, Metellus, homo sanctissimus modestissimusque omnium, tanta diligentia fuit, ut ad L. Lentulum prætorem et ad judices venerit et unius nominis litura se commotum esse

dixerit. His igitur tabulis nullam lituram in nomine A. Licinii videtis. 10. Quæ quum ita sint, quid est, quod de ejus civitate dubitetis, præsertim quum aliis quoque in civitatibus fuerit adscriptus? Etenim quum mediocribus
5 multis et aut nulla aut humili aliqua arte præditis gratuito civitatem in Græcia homines impertiebant, Rheginos credo aut Locrenses aut Neapolitanos aut Tarentinos, quod scenicis artificibus largiri solebant, id huic summa ingenii prædito gloria noluisse. Quid? quum ceteri non modo post
10 civitatem datam, sed etiam post legem Papiam aliquo modo in eorum municipiorum tabulas irrepserint, hic, qui ne utitur quidem illis, in quibus est scriptus, quod semper se Heracliensem esse voluit, rejicietur? 11. Census nostros requiris. Scilicet: est enim obscurum proximis censoribus
15 hunc cum clarissimo imperatore, L. Lucullo, apud exercitum fuisse, superioribus cum eodem quæstore fuisse in Asia, primis, Julio et Crasso, nullam populi partem esse censam. Sed, quoniam census non jus civitatis confirmat ac tantummodo indicat eum, qui sit census, ita se jam tum gessisse
20 pro cive: iis temporibus, quem tu criminaris ne ipsius quidem judicio in civium Romanorum jure esse versatum, et testamentum sæpe fecit nostris legibus et adiit hereditates civium Romanorum et in beneficiis ad ærarium delatus est a L. Lucullo proconsule.

25 VI. Quære argumenta, si quæ potes. Nunquam enim hic neque suo neque amicorum judicio revincetur.

12. Quæres a nobis, Grati, cur tantopere hoc homine delectemur. Quia suppeditat nobis, ubi et animus ex hoc forensi strepitu reficiatur et aures convicio defessæ conqui-
30 escant. An tu existimas aut suppetere nobis posse, quod quotidie dicamus, in tanta varietate rerum, nisi animos nostros doctrina excolamus, aut ferre animos tantam posse contentionem, nisi eos doctrina eadem relaxemus? Ego vero fateor me his studiis esse deditum. Ceteros pudeat,
35 si qui se ita literis abdiderunt, ut nihil possint ex iis neque ad communem afferre fructum neque in adspectum lucemque proferre. Me autem quid pudeat, qui tot annos ita vivo, judices, ut a nullius unquam me tempore aut commodo aut otium meum abstraxerit aut voluptas avocarit
40 aut denique somnus retardarit? 13. Quare quis tandem me reprehendat aut quis mihi jure succenseat, si, quantum ceteris ad suas res obeundas, quantum ad festos dies ludorum celebrandos, quantum ad alias voluptates et ad ipsam requiem animi et corporis conceditur temporum; quantum

alii tribuunt tempestivis conviviis, quantum denique alveolo, quantum pilæ, tantum mihi egomet ad hæc studia recolenda sumpsero? Atque hoc adeo mihi concedendum est magis, quod ex his studiis hæc quoque crescit oratio et facultas; quæ, quantacunque est in me, nunquam amicorum periculis 5 defuit. Quæ si cui levior videtur, illa quidem certe, quæ summa sunt, ex quo fonte hauriam, sentio. 14. Nam nisi multorum præceptis multisque literis mihi ab adolescentia suasissem nihil esse in vita magnopere expetendum nisi laudem atque honestatem; in ea autem persequenda omnes 10 cruciatus corporis, omnia pericula mortis atque exsilia parvi esse ducenda, nunquam me pro salute vestra in tot ac tantas dimicationes atque in hos profligatorum hominum quotidianos impetus objecissem. Sed pleni sunt omnes libri, plenæ sapientium voces, plena exemplorum vetustas; 15 quæ jacerent in tenebris omnia, nisi literarum lumen accederet. Quam multas nobis imagines non solum ad intuendum, verum etiam ad imitandum fortissimorum virorum expressas scriptores et Græci et Latini reliquerunt? Quas ego mihi semper in administranda re publica proponens 20 animum et mentem meam ipsa cogitatione hominum excellentium conformabam.

VII. 15. Quæret quispiam: Quid? illi ipsi summi viri, quorum virtutes literis proditæ sunt, istane doctrina, quam tu effers laudibus, eruditi fuerunt? Difficile est hoc de 25 omnibus confirmare: sed tamen est certum, quid respondeam. Ego multos homines excellenti animo ac virtute fuisse et sine doctrina naturæ ipsius habitu prope divino per se ipsos et moderatos et graves exstitisse fateor: etiam illud adjungo, sæpius ad laudem atque virtutem naturam 30 sine doctrina quam sine natura valuisse doctrinam. Atque idem ego hoc contendo, quum ad naturam eximiam et illustrem accesserit ratio quædam conformatioque doctrinæ, tum illud nescio quid præclarum ac singulare solere exsistere; 16. ex hoc esse hunc numero, quem patres nostri 35 viderunt, divinum hominem, Africanum; ex hoc C. Lælium, L. Furium, moderatissimos homines et continentissimos; ex hoc fortissimum virum et illis temporibus doctissimum, Catonem illum senem, qui profecto, si nihil ad percipiendam colendamque virtutem literis adjuvarentur, nunquam se ad 40 earum studium contulissent. Quod si non hic tantus fructus ostenderetur et si ex his studiis delectatio sola peteretur, tamen, ut opinor, hanc animi † adversionem humanissimam ac liberalissimam judicaretis. Nam ceteræ neque temporum

sunt neque ætatum omnium neque locorum; at hæc studia adolescentiam acuunt, senectutem oblectant, secundas res ornant, adversis perfugium ac solatium præbent; delectant domi, non impediunt foris, pernoctant nobiscum, peregri-
5 nantur, rusticantur.

17. Quod si ipsi hæc neque attingere neque sensu nostro gustare possemus, tamen ea mirari deberemus, etiam quum in aliis videremus.

VIII. Quis nostrum tam animo agresti ac duro fuit, ut
10 Roscii morte nuper non commoveretur? qui quum esset senex mortuus, tamen propter excellentem artem ac venustatem videbatur omnino mori non debuisse. Ergo ille corporis motu tantum amorem sibi conciliarat a nobis omnibus: hos animorum incredibiles motus celeritatemque
15 ingeniorum negligemus? 18. Quoties ego hunc Archiam vidi, judices, (utar enim vestra benignitate, quoniam me in hoc novo genere dicendi tam diligenter attenditis,) quoties ego hunc vidi, quum literam scripsisset nullam, magnum numerum optimorum versuum de iis ipsis rebus, quæ tum
20 agerentur, dicere ex tempore! quoties revocatum eandem rem dicere commutatis verbis atque sententiis! Quæ vero accurate cogitateque scripsisset, ea sic vidi probari, ut ad veterum scriptorum laudem pervenirent. Hunc ego non diligam? non admirer? non omni ratione defendendum
25 putem? Atque sic a summis hominibus eruditissimisque accepimus, ceterarum rerum studia et doctrina et præceptis et arte constare, poetam natura ipsa valere et mentis viribus excitari et quasi divino quodam spiritu inflari. Quare suo jure noster ille Ennius sanctos appellat poetas, quod quasi
30 deorum aliquo dono atque munere commendati nobis esse videantur. 19. Sit igitur, judices, sanctum apud vos, humanissimos homines, hoc poetæ nomen, quod nulla unquam barbaria violavit. Saxa et solitudines voci respondent; bestiæ sæpe immanes cantu flectuntur atque consi-
35 stunt: nos instituti rebus optimis non poetarum voce moveamur? Homerum Colophonii civem esse dicunt suum, Chii suum vindicant, Salaminii repetunt, Smyrnæi vero suum esse confirmant; itaque etiam delubrum ejus in oppido dedicaverunt: permulti alii præterea pugnant inter
40 se atque contendunt.

IX. Ergo illi alienum, quia poeta fuit, post mortem etiam expetunt: nos hunc vivum, qui et voluntate et legibus noster est, repudiabimus? præsertim quum omne olim studium atque omne ingenium contulerit Archias ad populi

Romani gloriam laudemque celebrandam. Nam et Cimbricas res adolescens attigit et ipsi illi C. Mario, qui durior ad hæc studia videbatur, jucundus fuit. 20. Neque enim quisquam est tam aversus a Musis, qui non mandari versibus æternum suorum laborum facile præconium patiatur. Themistoclem illum, summum Athenis virum, dixisse aiunt, quum ex eo quæreretur, "quod acroama aut cujus vocem libentissime audiret: ejus, a quo sua virtus optime prædicaretur." Itaque ille Marius item eximie L. Plotium dilexit, cujus ingenio putabat ea, quæ gesserat, posse celebrari. 21. Mithridaticum vero bellum magnum atque difficile et in multa varietate terra marique versatum totum ab hoc expressum est: qui libri non modo L. Lucullum, fortissimum et clarissimum virum, verum etiam populi Romani nomen illustrant. Populus enim Romanus aperuit Lucullo imperante Pontum et regiis quondam opibus et ipsa natura regionis vallatum: populi Romani exercitus eodem duce non maxima manu innumerabiles Armeniorum copias fudit: populi Romani laus est urbem amicissimam Cyzicenorum ejusdem consilio ex omni impetu regio atque totius belli ore ac faucibus ereptam esse atque servatam: nostra semper feretur et prædicabitur L. Lucullo dimicante cum interfectis ducibus depressa hostium classis et incredibilis apud Tenedum pugna illa navalis: nostra sunt tropæa, nostra monumenta, nostri triumphi; quæ quorum ingeniis efferuntur, ab iis populi Romani fama celebratur. 22. Carus fuit Africano superiori noster Ennius; itaque etiam in sepulchro Scipionum putatur is esse constitutus ex marmore. At iis laudibus certe non solum ipse, qui laudatur, sed etiam populi Romani nomen ornatur. In cœlum hujus proavus Cato tollitur: magnus honos populi Romani rebus adjungitur. Omnes denique illi Maximi, Marcelli, Fulvii non sine communi omnium nostrum laude decorantur.

X. Ergo illum, qui hæc fecerat, Rudinum hominem, majores nostri in civitatem receperunt: nos hunc Heracliensem multis civitatibus expetitum, in hac autem legibus constitutum de nostra civitate ejiciemus?

23. Nam si quis minorem gloriæ fructum putat ex Græcis versibus percipi quam ex Latinis, vehementer errat, propterea, quod Græca leguntur in omnibus fere gentibus, Latina suis finibus, exiguis sane, continentur. Quare si res eæ, quas gessimus, orbis terræ regionibus definiuntur, cupere debemus, quo manuum nostrarum tela pervenerint, eodem gloriam famamque penetrare; quod quum ipsis

populis, de quorum rebus scribitur, hæc ampla sunt, tum iis certe, qui de vita gloriæ causa dimicant, hoc maximum et periculorum incitamentum est et laborum. 24. Quam multos scriptores rerum suarum magnus ille Alexander
5 secum habuisse dicitur! Atque is tamen, quum in Sigeo ad Achillis tumulum adstitisset, *O fortunate*, inquit, *adolescens, qui tuæ virtutis Homerum præconem inveneris!* Et vere: nam, nisi Ilias illa exstitisset, idem tumulus, qui corpus ejus contexerat, nomen etiam obruisset. Quid?
10 noster hic Magnus, qui cum virtute fortunam adæquavit, nonne Theophanem Mitylenæum, scriptorem rerum suarum, in concione militum civitate donavit; et nostri illi fortes viri, sed rustici ac milites, dulcedine quadam gloriæ commoti, quasi participes ejusdem laudis, magno illud clamore
15 approbaverunt? 25. Itaque, credo, si civis Romanus Archias legibus non esset, ut ab aliquo imperatore civitate donaretur, perficere non potuit. Sulla, quum Hispanos donaret et Gallos, credo, hunc petentem repudiasset; quem nos in concione vidimus, quum ei libellum malus poeta de
20 populo subjecisset, quod epigramma in eum fecisset tantummodo alternis versibus longiusculis, statim ex iis rebus, quas tunc vendebat, jubere ei præmium tribui, sed ea conditione, ne quid postea scriberet. Qui sedulitatem mali poetæ duxerit aliquo tamen præmio dignam, hujus ingenium
25 et virtutem in scribendo et copiam non expetisset? 26. Quid? a Q. Metello Pio, familiarissimo suo, qui civitate multos donavit, neque per se neque per Lucullos impetravisset? qui præsertim usque eo de suis rebus scribi cuperet, ut etiam Cordubæ natis poetis pingue quiddam sonantibus
30 atque peregrinum tamen aures suas dederet.

XI. Neque enim est hoc dissimulandum, quod obscurari non potest, sed præ nobis ferendum: trahimur omnes studio laudis et optimus quisque maxime gloria ducitur. Ipsi illi philosophi etiam in iis libellis, quos de contemnenda gloria
35 scribunt, nomen suum inscribunt: in eo ipso, in quo prædicationem nobilitatemque despiciunt, prædicari de se ac nominari volunt. 27. Decimus quidem Brutus, summus vir et imperator, Accii, amicissimi sui, carminibus templorum ac monumentorum aditus exornavit suorum. Jam vero
40 ille, qui cum Ætolis Ennio comite bellavit Fulvius non dubitavit Martis manubias Musis consecrare. Quare, in qua urbe imperatores prope armati poetarum nomen et Musarum delubra coluerunt, in ea non debent togati judices a Musarum honore et a poetarum salute abhorrere.

28. Atque, ut id libentius faciatis, jam me vobis, judices, indicabo et de meo quodam amore gloriæ nimis acri fortasse, verumtamen honesto vobis confitebor. Nam, quas res nos in consulatu nostro vobiscum simul pro salute hujus urbis atque imperii et pro vita civium proque universa re 5 publica gessimus, attigit hic versibus atque inchoavit; quibus auditis, quod mihi magna res et jucunda visa est, hunc ad perficiendum adjuvi. Nullam enim virtus aliam mercedem laborum periculorumque desiderat præter hanc laudis et gloriæ; qua quidem detracta, judices, quid est, quod in 10 hoc tam exiguo vitæ curriculo et tam brevi tantis nos in laboribus exerceamus? 29. Certe, si nihil animus præsentiret in posterum et si, quibus regionibus vitæ spatium circumscriptum est, eisdem omnes cogitationes terminaret suas nec tantis se laboribus frangeret neque tot curis vigili- 15 isque angeretur nec toties de ipsa vita dimicaret. Nunc insidet quædam in optimo quoque virtus, quæ noctes ac dies animum gloriæ stimulis concitat atque admonet non cum vitæ tempore esse † dimittendam commemorationem nominis nostri, sed cum omni posteritate adæquandam. 20

XII. 30. An vero tam parvi animi videamur esse omnes, qui in re publica atque in his vitæ periculis laboribusque versamur, ut, quum usque ad extremum spatium nullum tranquillum atque otiosum spiritum duxerimus, nobiscum simul moritura omnia arbitremur? An statuas et imagines, 25 non animorum simulacra, sed corporum, studiose multi summi homines reliquerunt, consiliorum relinquere ac virtutum nostrarum effigiem nonne multo malle debemus summis ingeniis expressam et politam? Ego vero omnia, quæ gerebam, jam tum in gerendo spargere me ac disseminare 30 arbitrabar in orbis terræ memoriam sempiternam. Hæc [vero] sive a meo sensu post mortem afutura est sive, ut sapientissimi homines putaverunt, ad aliquam animi mei partem pertinebit, nunc quidem certe cogitatione quadam speque delector. 35

31. Quare conservate, judices, hominem pudore eo, quem amicorum videtis comprobari quum dignitate, tum etiam vetustate, ingenio autem tanto, quantum id convenit existimari, quod summorum hominum ingeniis expetitum esse videatis; causa vero ejusmodi, quæ beneficio legis, auctori- 40 tate municipii, testimonio Luculli, tabulis Metelli comprobetur. Quæ quum ita sint, petimus a vobis, judices, si qua non modo humana, verum etiam divina in tantis ingeniis commendatio debet esse, ut eum, qui vos, qui vestros impe-

ratores, qui populi Romani res gestas semper ornavit; qui etiam his recentibus nostris vestrisque domesticis periculis æternum se testimonium laudis daturum esse profitetur; † isque est eo numero, qui semper apud omnes sancti sunt
5 habiti itaque dicti, sic in vestram accipiatis fidem, ut humanitate vestra levatus potius quam acerbitate violatus esse videatur. 32. Quæ de causa pro mea consuetudine breviter simpliciterque dixi, judices, ea confido probata esse omnibus: quæ non fori neque judiciali consuetudine et de
10 hominis ingenio et communiter de ipsius studio locutus sum, ea, judices, a vobis spero esse in bonam partem accepta; ab eo, qui judicium exercet, certe scio.

ORATIO

PRO T. ANNIO MILONE.

I. 1. Etsi vereor, judices, ne turpe sit, pro fortissimo viro dicere incipientem timere, minimeque deceat, quum T. Annius ipse magis de rei publicæ salute quam de sua perturbetur, me ad ejus causam parem animi magnitudinem afferre non posse, tamen hæc novi judicii nova forma terret 5 oculos, qui, quocunque inciderunt, consuetudinem fori et pristinum morem judiciorum requirunt. Non enim corona consessus vester cinctus est, ut solebat; 2. non usitata frequentia stipati sumus; nec illa præsidia, quæ pro templis omnibus cernitis, etsi contra vim collocata sunt, non affe- 10 runt tamen oratori aliquid, ut in foro et in judicio, quamquam præsidiis salutaribus et necessariis sæpti sumus, tamen ne non timere quidem sine aliquo timore possimus. Quæ si opposita Miloni putarem, cederem tempori, judices, nec inter tantam vim armorum existimarem esse orationi locum. 15 Sed me recreat et reficit Cn. Pompeii, sapientissimi et justissimi viri, consilium, qui profecto nec justitiæ suæ putaret esse, quem reum sententiis judicum tradidisset, eundem telis militum dedere, nec sapientiæ, temeritatem concitatæ multitudinis auctoritate publica armare. 3. Quamobrem 20 illa arma, centuriones, cohortes non periculum nobis, sed præsidium denuntiant, neque solum, ut quieto, sed etiam, ut magno animo simus, hortantur, neque auxilium modo defensioni meæ, verum etiam silentium pollicentur. Reliqua vero multitudo, quæ quidem est civium, tota nostra 25 est, neque eorum quisquam, quos undique intuentes, unde aliqua fori pars adspici potest, et hujus exitum judicii exspectantes videtis, non quum virtuti Milonis favet, tum de se, de liberis suis, de patria, de fortunis hodierno die decertari putat. 30

II. Unum genus est adversum infestumque nobis eorum, quos P. Clodii furor rapinis et incendiis et omnibus exitiis publicis pavit; qui hesterna etiam concione incitati sunt, ut vobis voce præirent, quid judicaretis. Quorum clamor, si
5 qui forte fuerit, admonere vos debebit, ut eum civem retineatis, qui semper genus illud hominum clamoresque maximos pro vestra salute neglexit. 4. Quamobrem adeste animis, judices, et timorem, si quem habetis, deponite. Nam, si unquam de bonis et fortibus viris, si unquam de
10 bene meritis civibus potestas vobis judicandi fuit, si denique unquam locus amplissimorum ordinum delectis viris datus est, ut sua studia erga fortes et bonos cives, quæ vultu et verbis sæpe significassent, re et sententiis declararent, hoc profecto tempore eam potestatem omnem vos habetis, ut
15 statuatis, utrum nos, qui semper vestræ auctoritati dediti fuimus, semper miseri lugeamus, an, diu vexati a perditissimis civibus, aliquando per vos ac per vestram fidem, virtutem sapientiamque recreemur. 5. Quid enim nobis duobus, judices, laboriosius, quid magis sollicitum, magis exercitum
20 dici aut fingi potest, qui, spe amplissimorum præmiorum ad rem publicam adducti, metu crudelissimorum suppliciorum carere non possumus? Equidem ceteras tempestates et procellas in illis dumtaxat fluctibus concionum semper putavi Miloni esse subeundas, quia semper pro bonis contra
25 improbos senserat; in judicio vero et in eo consilio, in quo ex cunctis ordinibus amplissimi viri judicarent, nunquam existimavi spem ullam esse habituros Milonis inimicos ad ejus non modo salutem exstinguendam, sed etiam gloriam per tales viros infringendam. 6. Quamquam in hac causa,
30 judices, T. Annii tribunatu rebusque omnibus pro salute rei publicæ gestis ad hujus criminis defensionem non abutemur. Nisi oculis videritis insidias Miloni a Clodio factas, nec deprecaturi sumus, ut crimen hoc nobis propter multa præclara in rem publicam merita condonetis, nec postulaturi,
35 ut, si mors P. Clodii salus vestra fuerit, idcirco eam virtuti Milonis potius quam populi Romani felicitati assignetis. Sin illius insidiæ clariores hac luce fuerint, tum denique obsecrabo obtestaborque vos, judices, si cetera amisimus, hoc saltem nobis ut relinquatur, vitam ab inimicorum au-
40 dacia telisque ut impune liceat defendere.

III. 7. Sed antequam ad eam orationem venio, quæ est propria vestræ quæstionis, videntur ea esse refutanda, quæ et in senatu ab inimicis sæpe jactata sunt et in concione ab improbis et paulo ante ab accusatoribus, ut, omni errore

sublato, rem plane, quæ veniat in judicium, videre possitis. Negant intueri lucem esse fas ei, qui a se hominem occisum esse fateatur. In qua tandem urbe hoc homines stultissimi disputant? Nempe in ea, quæ primum judicium de capite vidit M. Horatii, fortissimi viri, qui, nondum libera civitate, 5 tamen populi Romani comitiis liberatus est, quum sua manu sororem esse interfectam fateretur. 8. An est quisquam, qui hoc ignoret, quum de homine occiso quæratur, aut negari solere omnino esse factum, aut recte et jure factum esse defendi? Nisi vero existimatis, dementem P. Afri- 10 canum fuisse, qui, quum a C. Carbone, tribuno plebis, seditiose in concione interrogaretur, quid de Ti. Gracchi morte sentiret, responderit, jure cæsum videri. Neque enim posset aut Ahala ille Servilius aut P. Nasica aut L. Opimius aut C. Marius aut, me consule, senatus non nefarius 15 haberi, si sceleratos cives interfici nefas esset. Itaque hoc, judices, non sine causa etiam fictis fabulis doctissimi homines memoriæ prodiderunt, eum, qui patris ulciscendi causa matrem necavisset, variatis hominum sententiis, non solum divina, sed etiam sapientissimæ deæ sententia liberatum. 20 9. Quod si duodecim tabulæ nocturnum furem quoquo modo, diurnum autem, si se telo defenderet, interfici impune voluerunt, quis est, qui, quoquo modo quis interfectus sit, puniendum putet, quum videat aliquando gladium nobis ad hominem occidendum ab ipsis porrigi legibus? 25

IV. Atqui si tempus est ullum jure hominis necandi, quæ multa sunt, certe illud est non modo justum, verum etiam necessarium, quum vi vis illata defenditur. Pudicitiam quum eriperet militi tribunus militaris in exercitu C. Marii, propinquus ejus imperatoris, interfectus ab eo est, cui vim 30 afferebat. Facere enim probus adolescens periculose quam perpeti turpiter maluit. Atque hunc ille summus vir, scelere solutum, periculo liberavit. 10. Insidiatori vero et latroni quæ potest inferri injusta nex? Quid comitatus nostri, quid gladii volunt? quos habere certe non liceret, si uti illis 35 nullo pacto liceret. Est igitur hæc, judices, non scripta, sed nata lex, quam non didicimus, accepimus, legimus, verum ex natura ipsa arripuimus, hausimus, expressimus, ad quam non docti, sed facti, non instituti, sed imbuti sumus, ut, si vita nostra in aliquas insidias, si in vim et in 40 tela aut latronum aut inimicorum incidisset, omnis honesta ratio esset expediendæ salutis. Silent enim leges inter arma nec se exspectari jubent, quum ei, qui exspectare velit, ante injusta pœna luenda sit quam justa repetenda.

11. Etsi persapienter et quodammodo tacite dat ipsa lex potestatem defendendi, quæ non hominem occidi, sed esse cum telo hominis occidendi causa vetat, ut, quum causa, non telum quæreretur, qui sui defendendi causa telo esset 5 usus, non hominis occidendi causa habuisse telum judicaretur. Quapropter hoc maneat in causa, judices; non enim dubito, quin probaturus sim vobis defensionem meam, si id memineritis, quod oblivisci non potestis, insidiatorem interfici jure posse.

10 V. 12. Sequitur illud, quod a Milonis inimicis sæpissime dicitur, cædem, in qua P. Clodius occisus est, senatum judicasse, contra rem publicam esse factam. Illam vero senatus non sententiis suis solum, sed etiam studiis comprobavit. Quoties enim est illa causa a nobis acta in senatu? 15 quibus assensionibus universi ordinis? quam nec tacitis nec occultis? Quando enim frequentissimo senatu quattuor aut summum quinque sunt inventi, qui Milonis causam non probarent? Declarant hujus ambusti tribuni plebis illæ intermortuæ conciones, quibus quotidie meam potentiam 20 invidiose criminabatur, quum diceret, senatum non quod sentiret, sed quod ego vellem, decernere. Quæ quidem si potentia est appellanda potius quam aut propter magna in rem publicam merita mediocris in bonis causis auctoritas aut propter hos officiosos labores meos nonnulla apud bonos 25 gratia, appelletur ita sane, dummodo ea nos utamur pro salute bonorum contra amentiam perditorum. 13. Hanc vero quæstionem, etsi non est iniqua, nunquam tamen senatus constituendam putavit. Erant enim leges, erant quæstiones, vel de cæde vel de vi; nec tantum mærorem ac 30 luctum senatui mors P. Clodii afferebat, ut nova quæstio constitueretur. Cujus enim de illo incesto stupro judicium decernendi senatui potestas esset erepta, de ejus interitu, quis potest credere, senatum judicium novum constituendum putasse? Cur igitur incendium curiæ, oppugnationem 35 ædium M. Lepidi, cædem hanc ipsam contra rem publicam senatus factam esse decrevit? Quia nulla vis unquam est in libera civitate suscepta inter cives non contra rem publicam. 14. Non enim est illa defensio contra vim unquam optanda, sed nonnunquam est necessaria. Nisi vero aut 40 ille dies, quo Ti. Gracchus est cæsus, aut ille, quo Caius, aut arma Saturnini non, etiamsi e re publica oppressa sunt, rem publicam tamen vulnerarunt.

VI. Itaque ego ipse decrevi, quum cædem in Appia factam esse constaret, non eum, qui se defendisset, contra

rem publicam fecisse; sed, quum inessent in re vis et insidiæ, crimen judicio reservavi, rem notavi. Quod si per furiosum illum tribunum senatui, quod sentiebat, perficere licuisset, novam quæstionem nullam haberemus. Decernebat enim, ut veteribus legibus, tantummodo extra ordinem, 5 quæreretur. Divisa sententia est, postulante nescio quo; nihil enim necesse est omnium me flagitia proferre. Sic reliqua auctoritas senatus empta intercessione sublata est.

15. At enim Cn. Pompeius rogatione sua et de re et de causa judicavit; tulit enim de cæde, quæ in Appia via facta esset, 10 in qua P. Clodius occisus esset. Quid ergo tulit? Nempe ut quæreretur. Quid porro quærendum est? Factumne sit? At constat. A quo? At paret. Vidit igitur, etiam in confessione facti juris tamen defensionem suscipi posse. Quod nisi vidisset, posse absolvi eum, qui fateretur, quum 15 videret nos fateri, neque quæri unquam jussisset nec vobis tam hanc salutarem in judicando literam quam illam tristem dedisset. Mihi vero Cn. Pompeius non modo nihil gravius contra Milonem judicasse, sed etiam statuisse videtur, quid vos in judicando spectare oporteret. Nam qui non pœnam 20 confessioni, sed defensionem dedit, is causam interitus quærendam, non interitum putavit. 16. Jam illud ipse dicet profecto, quod sua sponte fecit, Publione Clodio tribuendum putarit an tempori.

VII. Domi suæ nobilissimus vir, senatus propugnator 25 atque illis quidem temporibus pæne patronus, avunculus hujus judicis nostri, fortissimi viri, M. Catonis, tribunus plebis M. Drusus occisus est. Nihil de ejus morte populus consultus, nulla quæstio decreta a senatu est. Quantum luctum in hac urbe fuisse a nostris patribus accepimus, 30 quum P. Africano, domi suæ quiescenti, illa nocturna vis esset illata? quis tum non gemuit? quis non arsit dolore, quem immortalem, si fieri posset, omnes esse cuperent, ejus ne necessariam quidem exspectatam esse mortem? Num igitur ulla quæstio de Africani morte lata est? Certe 35 nulla. 17. Quid ita? Quia non alio facinore clari homines, alio obscuri necantur. Intersit inter vitæ dignitatem summorum atque infimorum; mors quidem illata per scelus iisdem et pœnis teneatur et legibus. Nisi forte magis erit parricida, si qui consularem patrem, quam si quis humilem 40 necaverit, aut eo mors atrocior erit P. Clodii, quod is in monumentis majorum suorum sit interfectus. Hoc enim ab istis sæpe dicitur; proinde quasi Appius ille Cæcus viam muniverit, non qua populus uteretur, sed ubi impune

sui posteri latrocinarentur. 18. Itaque in eadem ista Appia via quum ornatissimum equitem Romanum P. Clodius M. Papirium occidisset, non fuit illud facinus puniendum; homo enim nobilis in suis monumentis equitem Romanum 5 occiderat; nunc ejusdem Appiæ nomen quantas tragœdias excitat! Quæ cruentata antea cæde honesti atque innocentis viri silebatur, eadem nunc crebro usurpatur, posteaquam latronis et parricidæ sanguine imbuta est. Sed quid ego illa commemoro? Comprehensus est in templo Castoris 10 servus P. Clodii, quem ille ad Cn. Pompeium interficiendum collocarat; extorta est confitenti sica de manibus; caruit foro postea Pompeius, caruit senatu, caruit publico; janua se ac parietibus, non jure legum judiciorumque texit. 19. Num quæ rogatio lata, num quæ nova quæstio decreta est? 15 Atqui, si res, si vir, si tempus ullum dignum fuit, certe hæc in illa causa summa omnia fuerunt. Insidiator erat in foro collocatus atque in vestibulo ipso senatus; ei viro autem mors parabatur, cujus in vita nitebatur salus civitatis; eo porro rei publicæ tempore, quo, si unus ille occidisset, non 20 hæc solum civitas, sed gentes omnes concidissent. Nisi vero, quia perfecta res non est, non fuit punienda; proinde quasi exitus rerum, non hominum consilia legibus vindicentur. Minus dolendum fuit, re non perfecta, sed puniendum certe nihilo minus. 20. Quoties ego ipse, judices, ex P. 25 Clodii telis et ex cruentis ejus manibus effugi? ex quibus si me non vel mea vel rei publicæ fortuna servasset, quis tandem de interitu meo quæstionem tulisset?

VIII. Sed stulti sumus, qui Drusum, qui Africanum, Pompeium, nosmet ipsos cum P. Clodio conferre audeamus. 30 Tolerabilia fuerunt illa; P. Clodii mortem nemo æquo animo ferre potest. Luget senatus, mæret equester ordo, tota civitas confecta senio est, squalent municipia, afflictantur coloniæ, agri denique ipsi tam beneficum, tam salutarem, tam mansuetum civem desiderant. 21. Non fuit ea causa, 35 judices, profecto, non fuit, cur sibi censeret Pompeius quæstionem ferendam; sed homo sapiens atque alta et divina quadam mente præditus multa vidit; fuisse illum sibi inimicum, familiarem Milonem; in communi omnium lætitia si etiam ipse gauderet, timuit, ne videretur infirmior fides re- 40 conciliatæ gratiæ; multa etiam alia vidit, sed illud maxime, quamvis atrociter ipse tulisset, vos tamen fortiter judicaturos. Itaque delegit e florentissimis ordinibus ipsa lumina. Neque vero, quod nonnulli dictitant, secrevit in judicibus legendis amicos meos. Neque enim hoc cogitavit vir justis-

simus, neque in bonis viris legendis id assequi potuisset, etiamsi cupisset. Non enim mea gratia familiaritatibus continetur, quæ late patere non possunt, propterea quod consuetudines victus non possunt esse cum multis; sed, si quid possumus, ex eo possumus, quod res publica nos con- 5 junxit cum bonis; ex quibus ille quum optimos viros legeret, idque maxime ad fidem suam pertinere arbitraretur, non potuit legere non studiosos mei. 22. Quod vero te, L. Domiti, huic quæstioni præesse maxime voluit, nihil quæsivit aliud, nisi justitiam, gravitatem, humanitatem, fidem. 10 Tulit, ut consularem necesse esset; credo, quod principum munus esse ducebat resistere et levitati multitudinis et perditorum temeritati. Ex consularibus te creavit potissimum. Dederas enim, quam contemneres populares insanias, jam ab adolescentia documenta maxima. 15

IX. 23. Quamobrem, judices, ut aliquando ad causam crimenque veniamus, si neque omnis confessio facti est inusitata, neque de causa nostra quidquam aliter, ac nos vellemus, a senatu judicatum est, et lator ipse legis, quum esset controversia nulla facti, juris tamen disceptationem 20 esse voluit, et † electi judices isque præpositus quæstioni, qui hæc juste sapienterque disceptet, reliquum est, judices, ut nihil jam quærere aliud debeatis, nisi, uter utri insidias fecerit. Quod quo facilius argumentis perspicere possitis, rem gestam vobis dum breviter expono, quæso, diligenter 25 attendite. 24. P. Clodius quum statuisset omni scelere in prætura vexare rem publicam, videretque ita tracta esse comitia anno superiore, ut non multos menses præturam gerere posset, qui non honoris gradum spectaret, ut ceteri, sed et L. Paullum collegam effugere vellet, singulari virtute 30 civem, et annum integrum ad dilacerandam rem publicam quæreret, subito reliquit annum suum seseque in proximum annum transtulit, non, ut fit, religione aliqua, sed ut haberet, quod ipse dicebat, ad præturam gerendam, hoc est, ad evertendam rem publicam, plenum annum atque integrum. 35 25. Occurrebat ei, mancam ac debilem præturam suam futuram, consule Milone; eum porro summo consensu populi Romani consulem fieri videbat. Contulit se ad ejus competitores, sed ita, totam ut petitionem ipse solus, etiam invitis illis, gubernaret; tota ut comitia suis, ut dictitabat, 40 humeris sustineret. Convocabat tribus; se interponebat; Collinam novam delectu perditissimorum civium conscribebat. Quanto ille plura miscebat, tanto hic magis in dies convalescebat. Ubi vidit homo ad omne facinus paratissi-

mus, fortissimum virum, inimicissimum suum, certissimum consulem, idque intellexit non solum sermonibus, sed etiam suffragiis populi Romani sæpe esse declaratum, palam agere cœpit et aperte dicere, occidendum Milonem. 26. Servos
5 agrestes et barbaros, quibus silvas publicas depopulatus erat Etruriamque vexarat, ex Apennino deduxerat, quos videbatis. Res erat minime obscura. Etenim dictitabat palam, consulatum eripi Miloni non posse, vitam posse. Significavit hoc sæpe in senatu; dixit in concione; quin
10 etiam M. Favonio, fortissimo viro, quærenti ex eo, qua spe fureret, Milone vivo, respondit, triduo illum aut summum quatriduo esse periturum; quam vocem ejus ad hunc M. Catonem statim Favonius detulit.

X. 27. Interim, quum sciret Clodius (neque enim erat
15 difficile scire), iter sollemne, legitimum, necessarium, ante diem XIII. Kalendas Feb. Miloni esse Lanuvium ad flaminem prodendum, quod erat dictator Lanuvii Milo, Roma subito ipse profectus pridie est, ut ante suum fundum (quod re intellectum est) Miloni insidias collocaret. Atque ita
20 profectus est, ut concionem turbulentam, in qua ejus furor desideratus est, quæ illo ipso die habita est, relinqueret, quam, nisi obire facinoris locum tempusque voluisset, nunquam reliquisset. 28. Milo autem quum in senatu fuisset eo die, quoad senatus est dimissus, domum venit; calceos
25 et vestimenta mutavit; paulisper, dum se uxor (ut fit) comparat, commoratus est, deinde profectus id temporis, quum jam Clodius, si quidem eo die Romam venturus erat, redire potuisset. Obviam fit ei Clodius, expeditus, in equo, nulla rheda, nullis impedimentis, nullis Græcis comitibus,
30 ut solebat, sine uxore, quod nunquam fere, quum hic insidiator, qui iter illud ad cædem faciendam apparasset, cum uxore veheretur in rheda, pænulatus, magno et impedito et muliebri ac delicato ancillarum puerorumque comitatu. 29. Fit obviam Clodio ante fundum ejus hora fere unde-
35 cima aut non multo secus. Statim complures cum telis in hunc faciunt de loco superiore impetum; adversi rhedarium occidunt; quum autem hic de rheda, rejecta pænula, desiluisset seque acri animo defenderet, illi, qui erant cum Clodio, gladiis eductis, partim recurrere ad rhedam, ut a
40 tergo Milonem adorirentur, partim, quod hunc jam interfectum putarent, cædere incipiunt ejus servos, qui post erant, ex quibus qui animo fideli in dominum et præsenti fuerunt, partim occisi sunt, partim, quum ad rhedam pugnari viderent, domino succurrere prohiberentur, Milonem

occisum ex ipso Clodio audirent et re vera putarent, fecerunt id servi Milonis (dicam enim aperte non derivandi criminis causa, sed ut factum est), nec imperante nec sciente nec præsente domino, quod suos quisque servos in tali re facere voluisset. 5

XI. 30. Hæc, sicut exposui, ita gesta sunt, judices; insidiator superatus est; vi victa vis vel potius oppressa virtute audacia est. Nihil dico, quid res publica consecuta sit, nihil, quid vos, nihil, quid omnes boni. Nihil sane id prosit Miloni qui hoc fato natus est, ut ne se quidem servare 10 potuerit, quin una rem publicam vosque servaret. Si id jure fieri non potuit, nihil habeo, quod defendam. Sin hoc et ratio doctis et necessitas barbaris et mos gentibus et feris etiam belluis natura ipsa præscripsit, ut omnem semper vim, quacunque ope possent, a corpore, a capite, a vita sua 15 propulsarent, non potestis hoc facinus improbum judicare, quin simul judicetis, omnibus, qui in latrones inciderint, aut illorum telis aut vestris sententiis esse pereundum. 31. Quod si ita putasset, certe optabilius Miloni fuit dare jugulum P. Clodio, non semel ab illo neque tum primum 20 petitum, quam jugulari a vobis, quia se non jugulandum illi tradidisset. Sin hoc nemo vestrum ita sentit, illud jam in judicium venit, non, occisusne sit, quod fatemur, sed jure an injuria, quod multis in causis sæpe quæsitum est. Insidias factas esse constat, et id est, quod senatus contra 25 rem publicam factum judicavit; ab utro factæ sint, incertum est. De hoc igitur latum est ut quæreretur. Ita et senatus rem, non hominem, notavit, et Pompeius de jure, non de facto, quæstionem tulit.

XII. Numquid igitur aliud in judicium venit, nisi, uter 30 utri insidias fecerit? Profecto nihil; si hic illi, ut ne sit impune; si ille huic, tum nos scelere solvamur.

32. Quonam igitur pacto probari potest, insidias Miloni fecisse Clodium? Satis est in illa quidem tam audaci, tam nefaria bellua docere, magnam ei causam, magnam spem in 35 Milonis morte propositam, magnas utilitates fuisse. Itaque illud Cassianum, CUI BONO FUERIT, in his personis valeat; etsi boni nullo emolumento impelluntur in fraudem, improbi sæpe parvo. Atqui, Milone interfecto, Clodius hoc assequebatur, non modo ut prætor esset non eo consule, quo 40 sceleris facere nihil posset, sed etiam, ut iis consulibus prætor esset, quibus si non adjuvantibus, at conniventibus certe, speraret, se posse eludere in illis suis cogitatis furoribus; cujus illi conatus, ut ipse ratiocinabatur, nec cuperent

reprimere, si possent, quum tantum beneficium ei se debere arbitrarentur, et, si vellent, fortasse vix possent frangere hominis sceleratissimi corroboratam jam vetustate audaciam. 33. An vero, judices, vos soli ignoratis, vos hospites in hac
5 urbe versamini? vestræ peregrinantur aures neque in hoc pervagato civitatis sermone versantur, quas ille leges (si leges nominandæ sunt, ac non faces urbis, pestes rei publicæ) fuerit impositurus nobis omnibus atque inusturus? Exhibe, quæso, Sexte Clodi, exhibe librarium illud legum
10 vestrarum, quod te aiunt eripuisse e domo et ex mediis armis turbaque nocturna tamquam Palladium extulisse, ut præclarum videlicet munus atque instrumentum tribunatus ad aliquem, si nactus esses, qui tuo arbitrio tribunatum gereret, deferre posses. Atque per * * *. An hujus ille
15 legis, quam Sex. Clodius a se inventam gloriatur, mentionem facere ausus esset, vivo Milone, ne dicam consule? De nostrum omnium—non audeo totum dicere. Videte, quid ea vitii lex habitura fuerit, cujus periculosa etiam reprehensio est. Et adspexit me illis quidem oculis, quibus tum solebat,
20 quum omnibus omnia minabatur. Movet me quippe lumen curiæ.

XIII. Quid? tu me tibi iratum, Sexte, putas, cujus tu inimicissimum multo crudelius etiam punitus es, quam erat humanitatis meæ postulare? Tu P. Clodii cruentum cada-
25 ver ejecisti domo, tu in publicum abjecisti, tu spoliatum imaginibus, exsequiis, pompa, laudatione, infelicissimis lignis semustilatum, nocturnis canibus dilaniandum reliquisti. Quare etsi nefarie fecisti, tamen, quoniam in meo inimico crudelitatem exprompsisti tuam, laudare non possum, irasci
30 certe non debeo. 34. [*Demonstravi, judices, quantum Clodii inter*] fuerit occidi Milonem. Cōnvertite animos nunc vicissim ad Milonem. Quid Milonis intererat interfici Clodium? Quid erat, cur Milo, non dicam admitteret, sed optaret?—Obstabat in spe consulatus Miloni Clodius.—At
35 eo repugnante fiebat; immo vero eo fiebat magis, nec me suffragatore meliore utebatur quam Clodio. Valebat apud vos, judices, Milonis erga me remque publicam meritorum memoria; valebant preces et lacrimæ nostræ, quibus ego tum vos mirifice moveri sentiebam; sed plus multo valebat
40 periculorum impendentium timor. Quis enim erat civium, qui sibi solutam P. Clodii præturam sine maximo rerum novarum metu proponeret? Solutam autem fore videbatis, nisi esset is consul, qui eam auderet possetque constringere. Eum Milonem unum esse quum sentiret universus populus

Romanus, quis dubitaret suffragio suo se metu, periculo rem publicam liberare? At nunc, Clodio remoto, usitatis jam rebus enitendum est Miloni, ut tueatur dignitatem suam; singularis illa et huic uni concessa gloria, quæ quotidie augebatur frangendis furoribus Clodianis, jam Clodii morte 5 cecidit. Vos adepti estis, ne quem civem metueretis; hic exercitationem virtutis, suffragationem consulatus, fontem perennem gloriæ suæ perdidit. Itaque Milonis consulatus, qui, vivo Clodio, labefactari non poterat, mortuo denique tentari cœptus est. Non modo igitur nihil prodest, sed 10 obest etiam Clodii mors Miloni. 35. At valuit odium, fecit iratus, fecit inimicus, fuit ultor injuriæ, punitor doloris sui. Quid? si hæc, non dico, majora fuerunt in Clodio quam in Milone, sed in illo maxima, nulla in hoc? quid vultis amplius? Quid enim odisset Clodium Milo, segetem ac ma- 15 teriem suæ gloriæ, præter hoc civile odium, quo omnes improbos odimus? Ille, erat, ut odisset, primum salutis meæ defensorem, deinde vexatorem furoris, domitorem armorum suorum, postremo etiam accusatorem suum. Reus enim Milonis lege Plotia fuit Clodius, quoad vixit. Quo 20 tandem animo hoc tyrannum illum tulisse creditis? quantum odium illius et in homine injusto quam etiam justum fuisse?

XIV. 36. Reliquum est, ut jam illum natura ipsius consuetudoque defendat, hunc autem hæc eadem coarguant. 25 Nihil per vim unquam Clodius, omnia per vim Milo. Quid? ego, judices, quum, mærentibus vobis, urbe cessi, judiciumne timui? non servos, non arma, non vim? Quæ fuisset igitur justa causa restituendi mei, nisi fuisset injusta ejiciendi? Diem mihi, credo, dixerat, multam irrogarat, actionem per- 30 duellionis intenderat, et mihi videlicet in causa aut mala aut mea, non et præclarissima et vestra, judicium timendum fuit. Servorum et egentium civium et facinorosorum armis meos cives, meis consiliis periculisque servatos, pro me objici nolui. 37. Vidi enim, vidi, hunc ipsum Q. Horten- 35 sium, lumen et ornamentum rei publicæ, pæne interfici servorum manu, quum mihi adesset; qua in turba C. Vibienus, senator, vir optimus, cum hoc quum esset una, ita est mulcatus, ut vitam amiserit. Itaque quando illius postea sica illa, quam a Catilina acceperat, conquievit? Hæc in- 40 tentata nobis est; huic ego vos objici pro me non sum passus; hæc insidiata Pompeio est; hæc istam Appiam, monumentum sui nominis, nece Papirii cruentavit; hæc, hæc eadem longo intervallo conversa rursus est in me;

nuper quidem, ut scitis, me ad regiam pæne confecit. 38. Quid simile Milonis? cujus vis omnis hæc semper fuit, ne P. Clodius, quum in judicium detrahi non posset, vi oppressam civitatem teneret. Quem si interficere voluisset, 5 quantæ, quoties occasiones, quam præclaræ fuerunt? Potuitne, quum domum ac deos penates suos, illo oppugnante, defenderet, jure se ulcisci? potuitne, civi egregio et viro fortissimo, P. Sestio, collega suo, vulnerato? potuitne, Q. Fabricio, viro optimo, quum de reditu meo legem ferret, 10 pulso, crudelissima in foro cæde facta? potuitne, L. Cæcilii, justissimi fortissimique prætoris, oppugnata domo? potuitne illo die, quum est lata lex de me? quum totius Italiæ concursus, quem mea salus concitarat, facti illius gloriam libens agnovisset, ut, etiamsi id Milo fecisset, cuncta civitas eam 15 laudem pro sua vindicaret?

XV. 39. At quod erat tempus! Clarissimus et fortissimus consul, inimicus Clodio, P. Lentulus, ultor sceleris illius, propugnator senatus, defensor vestræ voluntatis, patronus publici consensus, restitutor salutis meæ; septem 20 prætores, octo tribuni plebis, illius adversarii, defensores mei; Cn. Pompeius auctor et dux mei reditus, illius hostis, cujus sententiam senatus omnis de salute mea gravissimam et ornatissimam secutus est, qui populum Romanum est cohortatus, qui, quum decretum de me Capuæ fecit, ipse 25 cunctæ Italiæ cupienti et ejus fidem imploranti signum dedit, ut ad me restituendum Romam concurrerent; † omnia tum denique in illum odia civium ardebant desiderio mei; quem qui tum interemisset, non de impunitate ejus, sed de præmiis cogitaretur. 40. Tamen se Milo continuit 30 et P. Clodium in judicium bis, ad vim nunquam vocavit. Quid? privato Milone et reo ad populum, accusante P. Clodio, quum in Cn. Pompeium pro Milone dicentem impetus factus est, quæ tum non modo occasio, sed etiam causa illius opprimendi fuit? Nuper vero quum M. Antonius 35 summam spem salutis bonis omnibus attulisset, gravissimamque adolescens nobilissimus rei publicæ partem fortissime suscepisset, atque illam belluam, judicii laqueos declinantem, jam irretitam teneret, qui locus, quod tempus illud, dii immortales, fuit? Quum se ille fugiens in scalarum 40 tenebras abdidisset, magnum Miloni fuit conficere illam pestem nulla sua invidia, Antonii vero maxima gloria. 41. Quid? comitiis in campo quoties potestas fuit, quum ille in sæpta irrupisset, gladios destringendos, lapides jaciendos curavisset, dein subito, vultu Milonis perterritus, fugeret ad

Tiberim, vos et omnes boni vota faceretis, ut Miloni uti virtute sua liberet?

XVI. Quem igitur cum omnium gratia noluit, hunc voluit cum aliquorum querela? quem jure, quem loco, quem tempore, quem impune non est ausus, hunc injuria, iniquo 5 loco, alieno tempore, periculo capitis non dubitavit occidere? 42. præsertim, judices, quum honoris amplissimi contentio et dies comitiorum subesset; quo quidem tempore (scio enim, quam timida sit ambitio quantaque et quam sollicita sit cupiditas consulatus), omnia non modo, quæ 10 reprehendi palam, sed etiam quæ obscure cogitari possunt, timemus, rumorem, fabulam fictam, levem perhorrescimus, ora omnium atque oculos intuemur. Nihil est enim tam molle, tam tenerum, tam aut fragile aut flexibile quam voluntas erga nos sensusque civium, qui non modo impro- 15 bitati irascuntur candidatorum, sed etiam in recte factis sæpe fastidiunt. 43. Hunc igitur diem campi speratum atque exoptatum sibi proponens Milo, cruentis manibus, scelus et facinus præ se ferens et confitens ad illa augusta centuriarum auspicia veniebat? Quam hoc non credibile 20 in hoc! quam idem in Clodio non dubitandum, qui se interfecto Milone regnaturum putaret! Quid? quod caput est [audaciæ], judices, quis ignorat, maximam illecebram esse peccandi impunitatis spem? In utro igitur hæc fuit? in Milone, qui etiam nunc reus est facti aut præclari aut certe 25 necessarii, an in Clodio, qui ita judicia pœnamque contempserat, ut eum nihil delectaret, quod aut per naturam fas esset aut per leges liceret? 44. Sed quid ego argumentor? quid plura disputo? Te Q. Petili, appello, optimum et fortissimum civem; te, M. Cato, testor; quos mihi divina 30 quædam sors dedit judices. Vos ex M. Favonio audistis, Clodium sibi dixisse, et audistis vivo Clodio, periturum Milonem triduo. Post diem tertium gesta res est, quam dixerat. Quum ille non dubitarit aperire, quid cogitaret, vos potestis dubitare, quid fecerit? 35

XVII. 45. Quemadmodum igitur eum dies non fefellit? Dixi equidem modo. Dictatoris Lanuvini stata sacrificia nosse negotii nihil erat. Vidit, necesse esse Miloni, proficisci Lanuvium illo ipso, quo est profectus, die. Itaque antevertit. At quo die? Quo, ut ante dixi, fuit insanissima 40 concio, ab ipsius mercenario tribuno plebis concitata; quem diem ille, quam concionem, quos clamores, nisi ad cogitatum facinus approperaret, nunquam reliquisset. Ergo illi ne causa quidem itineris, etiam causa manendi; Miloni ma-

nendi nulla facultas, exeundi non causa solum, sed etiam necessitas fuit. Quid? si, ut ille scivit, Milonem fore eo die in via, sic Clodium Milo ne suspicari quidem potuit? 46. Primum quæro, qui scire potuerit? quod vos idem in
5 Clodio quærere non potestis. Ut enim neminem alium nisi T. Patinam, familiarissimum suum, rogasset, scire potuit, illo ipso die Lanuvii a dictatore Milone prodi flaminem necesse esse. Sed erant permulti alii, ex quibus id facillime scire posset [; omnes scilicet Lanuvini]. Milo de Clodii
10 reditu unde quæsivit? Quæsierit sane. Videte, quid vobis largiar. Servum etiam, ut Q. Arrius, meus amicus, dixit, corruperit. Legite testimonia testium vestrorum. Dixit C. Cassinius Schola, Interamnanus, familiarissimus et idem comes Clodii, cujus jampridem testimonio Clodius eadem
15 hora Interamnæ fuerat et Romæ, P. Clodium illo die in Albano mansurum fuisse, sed subito esse ei nuntiatum, Cyrum architectum esse mortuum; itaque repente Romam constituisse proficisci. Dixit hoc, comes item P. Clodii, C. Clodius.

20 XVIII. 47. Videte, judices, quantæ res his testimoniis sint confectæ. Primum certe liberatur Milo, non eo consilio profectus esse, ut insidiaretur in via Clodio; quippe; si ille obvius ei futurus omnino non erat. Deinde (non enim video, cur non meum quoque agam negotium) scitis, judices,
25 fuisse, qui in hac rogatione suadenda dicerent, Milonis manu cædem esse factam, consilio vero majoris alicujus. Me videlicet latronem ac sicarium abjecti homines et perditi describebant. Jacent suis testibus [hi], qui Clodium negant eo die Romam, nisi de Cyro audisset, fuisse rediturum.
30 Respiravi; liberatus sum; non vereor, ne, quod ne suspicari quidem potuerim, videar id cogitasse. 48. Nunc persequar cetera. Nam occurrit illud: Igitur ne Clodius quidem de insidiis cogitavit, quoniam fuit in Albano mansurus. Si quidem exiturus ad cædem e villa non fuisset. Video
35 enim, illum, qui dicatur de Cyri morte nuntiasse, non id nuntiasse, sed Milonem appropinquare. Nam quid de Cyro nuntiaret, quem Clodius Roma proficiscens reliquerat morientem? Una fui; testamentum simul obsignavi cum Clodio; testamentum autem palam fecerat, et illum heredem
40 et me scripserat. Quem pridie hora tertia animam efflantem reliquisset, eum mortuum postridie hora decima denique ei nuntiabatur?

XIX. 49. Age, sit ita factum; quæ causa, cur Romam properaret? cur in noctem se conjiceret? Quid afferebat

causam festinationis? Quod heres erat? Primum erat nihil, cur properato opus esset; deinde, si quid esset, quid tandem erat, quod ea nocte consequi posset, amitteret autem, si postridie Romam mane venisset? Atque ut illi nocturnus ad urbem adventus vitandus potius quam expetendus fuit, sic Miloni, quum insidiator esset, si illum ad urbem noctu accessurum sciebat, subsidendum atque exspectandum fuit. 50. Noctu, insidioso et pleno latronum in loco occidisset; nemo ei neganti non credidisset, quem esse omnes salvum etiam confitentem volunt. Sustinuisset hoc crimen primum ipse ille latronum occultator et receptor locus; tum neque muta solitudo indicasset, neque cæca nox ostendisset Milonem; deinde ibi multi ab illo violati, spoliati, bonis expulsi, multi hæc etiam timentes in suspicionem caderent; tota denique rea citaretur Etruria. 51. Atque illo die certe Aricia rediens devertit Clodius ad se in Albanum. Quod ut sciret Milo, illum Ariciæ fuisse, suspicari tamen debuit, eum, etiamsi Romam illo die reverti vellet, ad villam suam, quæ viam tangeret, deversurum. Cur neque ante occurrit, ne ille in villa resideret, nec eo in loco subsedit, quo ille noctu venturus esset?

Video constare adhuc, judices, omnia: Miloni etiam utile fuisse Clodium vivere, illi ad ea quæ concupierat, optatissimum interitum Milonis; odium fuisse illius in hunc acerbissimum, nullum hujus in illum; consuetudinem illius perpetuam in vi inferenda, hujus tantum in repellenda; 52. mortem ab illo denuntiatam Miloni et prædictam palam, nihil unquam auditum ex Milone; profectionis hujus diem illi notum, reditus illius huic ignotum fuisse; hujus iter necessarium, illius etiam potius alienum; hunc præ se tulisse, illo se die Roma exiturum, illum eo die se dissimulasse rediturum; hunc nullius rei mutasse consilium, illum causam mutandi consilii finxisse; huic, si insidiaretur, noctem prope urbem exspectandam, illi, etiamsi hunc non timeret, tamen accessum ad urbem nocturnum fuisse metuendum.

XX. 53. Videamus nunc id, quod caput est, locus ad insidias ille ipse, ubi congressi sunt, utri tandem fuerit aptior. Id vero, judices, etiam dubitandum et diutius cogitandum est? Ante fundum Clodii, quo in fundo propter insanas illas substructiones facile hominum mille versabantur valentium, edito adversarii atque excelso loco superiorem se fore putarat Milo et ob eam rem eum locum ad pugnam potissimum elegerat? an in eo loco est potius exspectatus ab eo, qui ipsius loci spe facere impetum cogitarat? Res

loquitur ipsa, judices, quæ semper valet plurimum. 54. Si hæc non gesta audiretis, sed picta videretis, tamen appareret, uter esset insidiator, uter nihil cogitaret mali, quum alter veheretur in rheda pænulatus, una sederet uxor. Quid
5 horum non impeditissimum? vestitus, an vehiculum, an comes? quid minus promptum ad pugnam, quum pænula irretitus, rheda impeditus, uxore pæne constrictus esset? Videte nunc illum, primum egredientem e villa, subito; cur? vesperi; quid necesse est? tarde; qui convenit, præ-
10 sertim id temporis? Devertit in villam Pompeii. Pompeium ut videret? sciebat, in Alsiensi esse; villam ut perspiceret? millies in ea fuerat; quid ergo erat? mora et tergiversatio; dum hic veniret, locum relinquere noluit.

XXI. 55. Age, nunc iter expediti latronis cum Milonis
15 impedimentis comparate. Semper ille antea cum uxore; tum sine ea; nunquam nisi in rheda; tum in equo; comites Græculi, quocunque ibat, etiam quum in castra Etrusca properabat; tum in comitatu nugarum nihil. Milo, qui nunquam, tum casu pueros symphoniacos uxoris ducebat et
20 ancillarum greges. Ille, qui semper secum scorta, semper exoletos, semper lupas duceret, tum neminem, nisi ut virum a viro lectum esse diceres. Cur igitur victus est? Quia non semper viator a latrone, nonnunquam etiam latro a viatore occiditur; quia, quamquam paratus in imparatos
25 Clodius, tamen mulier inciderat in viros. 56. Nec vero sic erat unquam non paratus Milo contra illum, ut non satis fere esset paratus. Semper ille, et quantum interesset P. Clodii, se perire, et quanto illi odio esset, et quantum ille auderet, cogitabat. Quamobrem vitam suam, quam maxi-
30 mis præmiis propositam et pæne addictam sciebat, nunquam in periculum sine præsidio et sine custodia projiciebat. Adde casus, adde incertos exitus pugnarum Martemque communem, qui sæpe spoliantem jam et exsultantem evertit et perculit ab abjecto; adde inscitiam pransi, poti, oscitantis
35 ducis, qui quum a tergo hostem interclusum reliquisset, nihil de ejus extremis comitibus cogitavit, in quos incensos ira vitamque domini desperantes quum incidisset, hæsit in iis pœnis, quas ab eo servi fideles pro domini vita expetiverunt. 57. Cur igitur eos manumisit? Metuebat scilicet,
40 ne indicarent, ne dolorem perferre non possent, ne tormentis cogerentur occisum esse a servis Milonis in Appia via P. Clodium confiteri. Quid opus est tortore? Quid quæris? Occideritne? Occidit. Jure an injuria? Nihil ad tortorem. Facti enim in equuleo quæstio est, juris in judicio.

XXII. Quod igitur in causa quærendum est, id agamus hic; quod tormentis invenire vis, id fatemur. Manu vero cur miserit, si id potius quæris, quam cur parum amplis affecerit præmiis, nescis inimici factum reprehendere. 58. Dixit enim hic idem, qui omnia semper constanter et fortiter, 5 M. Cato, et dixit in turbulenta concione, quæ tamen hujus auctoritate placata est, non libertate solum, sed etiam omnibus præmiis dignissimos fuisse, qui domini caput defendissent. Quod enim præmium satis magnum est tam benevolis, tam bonis, tam fidelibus servis, propter quos vivit? 10 Etsi id quidem non tanti est, quam quod propter eosdem non sanguine et vulneribus suis crudelissimi inimici mentem oculosque satiavit. Quos nisi manumisisset, tormentis etiam dedendi fuerunt conservatores domini, ultores sceleris, defensores necis. Hic vero nihil habet in his malis, quod 15 minus moleste ferat, quam, etiamsi quid ipsi accidat, esse tamen illis meritum præmium persolutum. 59. Sed quæstiones urgent Milonem, quæ sunt habitæ nunc in atrio Libertatis. Quibusnam de servis? Rogas? De P. Clodii. Quis eos postulavit? Appius. Quis produxit? Appius. 20 Unde? Ab Appio. Dii boni! quid potest agi severius? De servis nulla lege quæstio est in dominum, nisi de incestu, ut fuit in Clodium. Proxime deos accessit Clodius, propius quam tum, quum ad ipsos penetrarat, cujus de morte tamquam de cærimoniis violatis quæritur. Sed tamen majores 25 nostri in dominum [de servo] quæri noluerunt, non quia non posset verum inveniri, sed quia videbatur indignum et dominis morte ipsa tristius. In reum de servo accusatoris quum quæritur, verum inveniri potest? 60. Age vero, quæ erat aut qualis quæstio? Heus tu, Rufio, verbi causa, 30 cave sis mentiare. Clodius insidias fecit Miloni? Fecit. Certa crux. Nullas fecit. Sperata libertas. Quid hac quæstione certius? Subito abrepti in quæstionem tamen separantur a ceteris et in arcas conjiciuntur, ne quis cum iis colloqui possit. Hi centum dies penes accusatorem 35 quum fuissent, ab eo ipso accusatore producti sunt. Quid hac quæstione dici potest integrius? quid incorruptius?

XXIII. 61. Quod si nondum satis cernitis, quum res ipsa tot tam claris argumentis signisque luceat, pura mente atque integra Milonem, nullo scelere imbutum, nullo metu 40 perterritum, nulla conscientia exanimatum Romam revertisse, recordamini, per deos immortales! quæ fuerit celeritas reditus ejus, qui ingressus in forum, ardente curia, quæ magnitudo animi, qui vultus, quæ oratio. Neque vero se

populo solum, sed etiam senatui commisit, neque senatui modo, sed etiam publicis præsidiis et armis, neque his tantum, verum etiam ejus potestati, cui senatus totam rem publicam, omnem Italiæ pubem, cuncta populi Romani
5 arma commiserat, cui nunquam se hic profecto tradidisset, nisi causæ suæ confideret, præsertim omnia audienti, magna metuenti, multa suspicanti, nonnulla credenti. Magna vis est conscientiæ, judices, et magna in utramque partem, ut neque timeant, qui nihil commiserint, et pœnam semper
10 ante oculos versari putent, qui peccarint. 62. Neque vero sine ratione certa causa Milonis semper a senatu probata est. Videbant enim sapientissimi homines facti rationem, præsentiam animi, defensionis constantiam. An vero obliti estis, judices, recenti illo nuntio necis Clodianæ, non modo
15 inimicorum Milonis sermones et opiniones, sed nonnullorum etiam imperitorum? Negabant eum Romam esse rediturum. 63. Sive enim illud animo irato ac percito fecisset, ut incensus odio trucidaret inimicum, arbitrabantur, eum tanti mortem P. Clodii putasse, ut æquo animo patria
20 careret, quum sanguine inimici explesset odium suum, sive etiam illius morte patriam liberare voluisset, non dubitaturum fortem virum, quin, quum suo periculo salutem rei publicæ attulisset, cederet æquo animo legibus, secum auferret gloriam sempiternam, nobis hæc fruenda relinqueret, quæ ipse
25 servasset. Multi etiam Catilinam atque illa portenta loquebantur: "Erumpet, occupabit aliquem locum, bellum patriæ faciet." Miseros interdum cives optime de re publica meritos, in quibus homines non modo res præclarissimas obliviscuntur, sed etiam nefarias suspicantur! 64. Ergo illa
30 falsa fuerunt; quæ certe vera exstitissent, si Milo admisisset aliquid, quod non posset honeste vereque defendere.

XXIV. Quid? quæ postea sunt in eum congesta, quæ quemvis etiam mediocrium delictorum conscientia perculissent, ut sustinuit! dii immortales! sustinuit? immo vero
35 ut contempsit ac pro nihilo putavit! quæ neque maximo animo nocens, neque innocens, nisi fortissimus vir, negligere potuisset. Scutorum, gladiorum, † frenorum pilorumque etiam multitudo deprehendi posse indicabatur; nullum in urbe vicum, nullum angiportum esse dicebant, in quo non
40 Miloni conducta esset domus; arma in villam Ocriculanam devecta Tiberi; domus in clivo Capitolino scutis referta; plena omnia malleolorum ad urbis incendia comparatorum. Hæc non delata solum, sed pæne credita, nec ante repudiata sunt, quam quæsita. 65. Laudabam equidem incre-

dibilem diligentiam Cn. Pompeii; sed dicam, ut sentio, judices. Nimis multa coguntur audire, neque aliter facere possunt ii, quibus tota commissa est res publica; cui etiam fuerit audiendus popa Licinius nescio qui de circo maximo; servos Milonis apud se ebrios factos sibi confessos esse, de 5 interficiendo Pompeio conjurasse, dein postea se gladio percussum esse ab uno de illis, ne indicaret, Pompeio in hortos nuntiavit. Arcessor in primis. De amicorum sententia rem defert ad senatum. Non poteram in illius mei patriæque custodis tanta suspicione non metu exanimari, 10 sed mirabar tamen, credi popæ, confessionem servorum audiri, vulnus in latere, quod acu punctum videretur, pro ictu gladiatoris probari. 66. Verum, ut intelligo, cavebat magis Pompeius, quam timebat, non ea solum, quæ timenda erant, sed omnia, ne vos aliquid timeretis. Oppugnata 15 domus C. Cæsaris, clarissimi et fortissimi viri, per multas noctis horas nuntiabatur. Nemo audierat tam celebri loco, nemo senserat; tamen audiebatur. Non poteram Cn. Pompeium, præstantissima virtute virum, timidum suspicari; diligentiam, tota re publica suscepta, nimiam nullam puta- 20 bam. Frequentissimo senatu nuper in Capitolio senator inventus est, qui Milonem cum telo esse diceret. Nudavit se in sanctissimo templo, quoniam vita talis et civis et viri fidem non faciebat, ut, eo tacente, res ipsa loqueretur.

XXV. 67. Omnia falsa atque insidiose ficta comperta 25 sunt; quum tamen metuitur etiam nunc Milo. Non jam hoc Clodianum crimen timemus, sed tuas, Cn. Pompei, (te enim jam appello, et ea voce, ut me exaudire possis), tuas, tuas, inquam, suspiciones perhorrescimus. Si Milonem times, si hunc de tua vita nefarie aut nunc cogitare aut 30 molitum aliquando aliquid putas, si Italiæ delectus, ut nonnulli conquisitores tui dictitarunt, si hæc arma, si Capitolinæ cohortes, si excubiæ, si vigiliæ, si delecta juventus, quæ tuum corpus domumque custodit, contra Milonis impetum armata est, atque illa omnia in hunc unum instituta, parata, 35 intenta sunt, magna certe in hoc vis et incredibilis animus et non unius viri vires atque opes indicantur, si quidem in hunc unum et præstantissimus dux electus et tota res publica armata est. 68. Sed quis non intelligit, omnes tibi rei publicæ partes ægras et labantes, ut eas his armis 40 sanares et confirmares, esse commissas? Quod si locus Miloni datus esset, probasset profecto tibi ipsi, neminem unquam hominem homini cariorem fuisse quam te sibi; nullum se unquam periculum pro tua dignitate fugisse;

cum illa ipsa teterrima peste se sæpissime pro tua gloria contendisse; tribunatum suum ad salutem meam, quæ tibi carissima fuisset, consiliis tuis gubernatum; se a te postea defensum in periculo capitis, adjutum in petitione præturæ;
5 duos se habere semper amicissimos sperasse, te tuo beneficio, me suo. Quæ si non probaret, si tibi ita penitus inhæsisset ista suspicio, nullo ut evelli modo posset, si denique Italia a delectu, urbs ab armis sine Milonis clade nunquam esset conquietura, næ iste haud dubitans cessisset
10 patria, is, qui ita natus est et ita consuevit; te, Magne, tamen antestaretur, quod nunc etiam facit.

XXVI. 69. Vide, quam sit varia vitæ commutabilisque ratio, quam vaga volubilisque fortuna, quantæ infidelitates in amicitiis, quam ad tempus aptæ simulationes, quantæ in
15 periculis fugæ proximorum, quantæ timiditates. Erit, erit illud profecto tempus et illucescet ille aliquando dies, quum tu, salutaribus, ut spero, rebus tuis, sed fortasse motu aliquo communium temporum (qui quam crebro accidat, experti scire debemus), et amicissimi benevolentiam et gravissimi
20 hominis fidem et unius post homines natos fortissimi viri magnitudinem animi desideres. 70. Quamquam quis hoc credat, Cn. Pompeium, juris publici, moris majorum, rei denique publicæ peritissimum, quum senatus ei commiserit, ut videret, NE QUID RES PUBLICA DETRIMENTI CAPERET, quo
25 uno versiculo satis armati semper consules fuerunt, etiam nullis armis datis, hunc exercitu, hunc delectu dato, judicium exspectaturum fuisse in ejus consiliis vindicandis, qui vi judicia ipsa tolleret? Satis judicatum est a Pompeio, satis, falso ista conferri in Milonem, qui legem tulit, qua,
30 ut ego sentio, Milonem absolvi a vobis oporteret, ut omnes confitentur, liceret. 71. Quod vero in illo loco atque illis publicorum præsidiorum copiis circumfusus sedet, satis declarat, se non terrorem inferre vobis (quid enim minus illo dignum, quam cogere, ut vos eum condemnetis, in quem
35 animadvertere ipse et more majorum et suo jure posset?), sed præsidio esse, ut intelligatis, contra hesternam illam concionem licere vobis, quod sentiatis, libere judicare.

XXVII. 72. Nec vero me, judices, Clodianum crimen movet, nec tam sum demens tamque vestri sensus ignarus
40 atque expers, ut nesciam, quid de morte Clodii sentiatis. De qua, si jam nollem ita diluere crimen, ut dilui, tamen impune Miloni palam clamare ac mentiri gloriose liceret: "Occidi, occidi, non Sp. Mælium, qui annona levanda jacturisque rei familiaris, quia nimis amplecti plebem videbatur,

in suspicionem incidit regni appetendi, non Ti. Gracchum, qui collegæ magistratum per seditionem abrogavit, quorum interfectores impleverunt orbem terrarum nominis sui gloria, sed eum (auderet enim dicere, quum patriam periculo suo liberasset), cujus nefandum adulterium in pulvinaribus san- 5 ctissimis nobilissimæ feminæ comprehenderunt; 73. eum, cujus supplicio senatus sollemnes religiones expiandas sæpe censuit; eum, quem cum sorore germana nefarium stuprum fecisse, L. Lucullus juratus se, quæstionibus habitis, dixit comperisse; eum, qui civem, quem senatus, quem populus 10 Romanus, quem omnes gentes urbis ac vitæ civium conservatorem judicarant, servorum armis exterminavit; eum, qui regna dedit, ademit, orbem terrarum, quibuscum voluit, partitus est; eum, qui, plurimis cædibus in foro factis, singulari virtute et gloria civem domum vi et armis compulit; 15 eum, cui nihil unquam nefas fuit nec in facinore nec in libidine; eum, qui ædem Nympharum incendit, ut memoriam publicam recensionis, tabulis publicis impressam, exstingueret; 74. eum denique, cui jam nulla lex erat, nullum civile jus, nulli possessionum termini; qui non calumnia litium, 20 non injustis vindiciis ac sacramentis alienos fundos, sed castris, exercitu, signis inferendis petebat; qui non solum Etruscos (eos enim penitus contempserat), sed hunc P. Varium, fortissimum atque optimum civem, judicem nostrum, pellere possessionibus armis castrisque conatus est; qui cum 25 architectis et decempedis villas multorum hortosque peragrabat; qui Janiculo et Alpibus spem possessionum terminabat suarum; qui, quum ab equite Romano splendido et forti, M. Paconio, non impetrasset, ut sibi insulam in lacu Prilio venderet, repente lintribus in eam insulam materiem, 30 calcem, cæmenta, arma convexit, dominoque trans ripam inspectante non dubitavit ædificium exstruere in alieno; 75. qui huic T. Furfanio, cui viro? dii immortales! (quid enim ego de muliercula Scantia, quid de adolescente P. Apinio dicam? quorum utrique mortem est minitatus, nisi sibi hor- 35 torum possessione cessissent); sed ausus est Furfanio dicere, si sibi pecuniam, quantam poposcerat, non dedisset, mortuum se in domum ejus illaturum, qua invidia huic esset tali viro conflagrandum; qui Appium fratrem, hominem mihi conjunctum fidissima gratia, absentem de possessione fundi 40 dejecit; qui parietem sic per vestibulum sororis instituit ducere, sic agere fundamenta, ut sororem non modo vestibulo privaret, sed omni aditu et limine."

XXVIII. 76. Quamquam hæc quidem jam tolerabilia

videbantur, etsi æquabiliter in rem publicam, in privatos, in longinquos, in propinquos, in alienos, in suos irruebat; sed nescio quomodo jam usu obduruerat et percalluerat civitatis incredibilis patientia. Quæ vero aderant jam et impende-
5 bant, quonam modo ea aut depellere potuissetis aut ferre? Imperium ille si nactus esset, omitto socios, exteras nationes, reges, tetrarchas; vota enim faceretis, ut in eos se potius immitteret quam in vestras possessiones, vestra tecta, vestras pecunias; pecunias dico? a liberis, medius fidius, et
10 a conjugibus vestris nunquam ille effrenatas suas libidines cohibuisset. Fingi hæc putatis, quæ patent, quæ nota sunt omnibus, quæ tenentur? servorum exercitus illum in urbe conscripturum fuisse, per quos totam rem publicam resque privatas omnium possideret? 77. Quamobrem, si cruentum
15 gladium tenens clamaret T. Annius: "Adeste, quæso, atque audite, cives; P. Clodium interfeci; ejus furores, quos nullis jam legibus, nullis judiciis frenare poteramus, hoc ferro et hac dextera a cervicibus vestris reppuli, per me ut unum jus, æquitas, leges, libertas, pudor, pudicitia in civi-
20 tate manerent," esset vero timendum, quonam modo id ferret civitas! Nunc enim quis est, qui non probet? qui non laudet? qui non unum post hominum memoriam T. Annium plurimum rei publicæ profuisse, maxima lætitia populum Romanum, cunctam Italiam, nationes omnes affe-
25 cisse et dicat et sentiat? Non queo, vetera illa populi Romani gaudia quanta fuerint, judicare. Multas tamen jam summorum imperatorum clarissimas victorias ætas nostra vidit, quarum nulla neque tam diuturnam attulit lætitiam nec tantam. 78. Mandate hoc memoriæ, judices. Spero
30 multa vos liberosque vestros in re publica bona esse visuros; in iis singulis ita semper existimabitis, vivo P. Clodio nihil eorum vos visuros fuisse. In spem maximam et, quemadmodum confido, verissimam sumus adducti, hunc ipsum annum, hoc ipso summo viro consule, compressa hominum
35 licentia, cupiditatibus fractis, legibus et judiciis constitutis, salutarem civitati fore. Num quis est igitur tam demens, qui hoc, P. Clodio vivo, contingere potuisse arbitretur? Quid? ea, quæ tenetis, privata atque vestra, dominante homine furioso, quod jus perpetuæ possessionis habere po-
40 tuissent?

XXIX. Non timeo, judices, ne odio mearum inimicitiarum inflammatus libentius hæc in illum evomere videar quam verius. Etenim etsi præcipuum esse debebat, tamen ita communis erat omnium ille hostis, ut in communi odio pæne

æqualiter versaretur odium meum. Non potest dici satis, ne cogitari quidem, quantum in illo sceleris, quantum exitii fuerit. 79. Quin sic attendite, judices. Nempe hæc est quæstio de interitu P. Clodii. Fingite animis (liberæ sunt enim nostræ cogitationes et, quæ volunt, sic intuentur, ut ea 5 cernimus, quæ videmus), fingite igitur cogitatione imaginem hujus conditionis meæ, si possim efficere, ut Milonem absolvatis, sed ita, si P. Clodius revixerit. Quid vultu extimuistis? Quonam modo ille vos vivus afficeret, quos mortuus inani cogitatione percussit? Quid? si ipse Cn. Pom- 10 peius, qui ea virtute ac fortuna est, ut ea potuerit semper, quæ nemo præter illum, si is, inquam, potuisset aut quæstionem de morte P. Clodii ferre aut ipsum ab inferis excitare, utrum putatis potius facturum fuisse? Etiamsi propter amicitiam vellet illum ab inferis evocare, propter rem pu- 15 blicam non fecisset. Ejus igitur mortis sedetis ultores, cujus vitam si putetis per vos restitui posse, nolitis, et de ejus nece lata quæstio est, qui si eadem lege reviviscere posset, lata lex nunquam esset. Hujus ergo interfector si esset, in confitendo ab iisne pœnam timeret, quos liberavis- 20 set? 80. Græci homines deorum honores tribuunt iis viris, qui tyrannos necaverunt. Quæ ego vidi Athenis? quæ aliis in urbibus Græciæ? quas res divinas talibus institutas viris? quos cantus? quæ carmina? Prope ad immortalitatis et religionem et memoriam consecrantur. Vos tanti conserva- 25 torem populi, tanti sceleris ultorem non modo honoribus nullis afficietis, sed etiam ad supplicium rapi patiemini? Confiteretur, confiteretur, inquam, si fecisset, et magno animo et libente, fecisse se libertatis omnium causa, quod esset ei non confitendum modo, verum etiam prædicandum. 30

XXX. 81. Etenim, si id non negat, ex quo nihil petit, nisi ut ignoscatur, dubitaret id fateri, ex quo etiam præmia laudis essent petenda? nisi vero gratius putat esse vobis, sui se capitis quam vestri defensorem fuisse; quum præsertim in ea confessione, si grati esse velletis, honores asse- 35 queretur amplissimos; si factum vobis non probaretur (quamquam qui poterat salus sua cuiquam non probari?), sed tamen si minus fortissimi viri virtus civibus grata cecidisset, magno animo constantique cederet ex ingrata civitate. Nam quid esset ingratius, quam lætari ceteros, lugere 40 eum solum, propter quem ceteri lætarentur? 82. Quamquam hoc animo semper omnes fuimus in patriæ proditoribus opprimendis, ut, quoniam nostra futura esset gloria, periculum quoque et invidiam nostram putaremus. Nam

quæ mihi ipsi tribuenda laus esset, quum tantum in consulatu meo pro vobis ac liberis vestris ausus essem, si id, quum conabar, sine maximis dimicationibus meis me esse ausurum arbitrarer? Quæ mulier sceleratum ac pernicio-
5 sum civem occidere non auderet, si periculum non timeret? Proposita invidia, morte, pœna, qui nihilo segnius rem publicam defendit, is vir vere putandus est. Populi grati est, præmiis afficere bene meritos de re publica cives, viri fortis, ne suppliciis quidem moveri, ut fortiter fecisse pœ-
10 niteat. 83. Quamobrem uteretur eadem confessione T. Annius, qua Ahala, qua Nasica, qua Opimius, qua Marius, qua nosmet ipsi, et, si grata res publica esset, lætaretur, si ingrata, tamen in gravi fortuna conscientia sua niteretur.

Sed hujus beneficii gratiam, judices, fortuna populi Ro-
15 mani et vestra felicitas et dii immortales sibi deberi putant. Nec vero quisquam aliter arbitrari potest, nisi qui nullam vim esse ducit numenve divinum, quem neque imperii nostri magnitudo neque sol ille nec cœli signorumque motus nec vicissitudines rerum atque ordines movent neque, id quod
20 maximum est, majorum sapientia, qui sacra, qui cærimonias, qui auspicia et ipsi sanctissime coluerunt et nobis, suis posteris, prodiderunt.

XXXI. 84. Est, est profecto illa vis, neque in his corporibus atque in hac imbecillitate nostra inest quiddam,
25 quod vigeat et sentiat, et non inest in hoc tanto naturæ tam præclaro motu. Nisi forte idcirco non putant, quia non apparet nec cernitur; proinde quasi nostram ipsam mentem, qua sapimus, qua providemus, qua hæc ipsa agimus ac dicimus, videre aut plane, qualis aut ubi sit, sentire
30 possimus. Ea vis igitur ipsa, quæ sæpe incredibiles huic urbi felicitates atque opes attulit, illam perniciem exstinxit ac sustulit, cui primum mentem injecit, ut vi irritare ferroque lacessere fortissimum virum auderet vinceretur que ab eo, quem si vicisset, habiturus esset impunitatem et licen-
35 tiam sempiternam. 85. Non est humano consilio, ne mediocri quidem, judices, deorum immortalium cura res illa perfecta. Religiones mehercule ipsæ, quæ illam belluam cadere viderunt, commovisse se videntur et jus in illo suum retinuisse. Vos enim jam, Albani tumuli atque luci, vos,
40 inquam, imploro atque testor, vosque Albanorum obrutæ aræ, sacrorum populi Romani sociæ et æquales, quas ille, præceps amentia, cæsis prostratisque sanctissimis lucis, substructionum insanis molibus oppresserat; vestræ tum, [aræ,] vestræ religiones viguerunt, vestra vis valuit, quam

ille omni scelere polluerat, tuque ex tuo edito monte, Latiaris sancte Juppiter, cujus ille lacus, nemora finesque sæpe omni nefario stupro et scelere macularat, aliquando ad eum puniendum oculos aperuisti; vobis illæ, vobis vestro in conspectu seræ, sed justæ tamen et debitæ pœnæ solutæ 5 sunt. 86. Nisi forte hoc etiam casu factum esse dicemus, ut ante ipsum sacrarium Bonæ Deæ, quod est in fundo T. Sestii Galli, in primis honesti et ornati adolescentis, ante ipsam, inquam, Bonam Deam, quum prœlium commisisset, primum illud vulnus acciperet, quo teterrimam mortem 10 obiret, ut non absolutus judicio illo nefario videretur, sed ad hanc insignem pœnam reservatus.

XXXII. Nec vero non eadem ira deorum hanc ejus satellitibus injecit amentiam, ut sine imaginibus, sine cantu atque ludis, sine exsequiis, sine lamentis, sine laudationibus, 15 sine funere, oblitus cruore et luto, spoliatus illius supremi diei celebritate, cui cedere etiam inimici solent, ambureretur abjectus. Non fuisse credo fas, clarissimorum virorum formas illi teterrimo parricidæ aliquid decoris afferre, neque ullo in loco potius mortem ejus lacerari, quam in quo esset 20 vita damnata.

87. Dura, medius fidius, mihi jam fortuna populi Romani et crudelis videbatur, quæ tot annos illum in hanc rem publicam insultare pateretur. Polluerat stupro sanctissimas religiones, senatus gravissima decreta perfregerat, pecunia 25 se a judicibus palam redemerat, vexarat in tribunatu senatum, omnium ordinum consensu pro salute rei publicæ gesta resciderat, me patria expulerat, bona diripuerat, domum incenderat, liberos, conjugem meam vexarat, Cn. Pompeio nefarium bellum indixerat, magistratuum privato- 30 rumque cædes effecerat, domum mei fratris incenderat, vastarat Etruriam, multos sedibus ac fortunis ejecerat; instabat, urgebat; capere ejus amentiam civitas, Italia, provinciæ, regna non poterant; incidebantur jam domi leges, quæ nos servis nostris addicerent; nihil erat cujus- 35 quam, quod quidem ille adamasset, quod non hoc anno suum fore putaret. 88. Obstabat ejus cogitationibus nemo præter Milonem. Illum ipsum, qui poterat obstare, novo reditu in gratiam quasi devinctum arbitrabatur; Cæsaris potentiam suam esse dicebat; bonorum animos in meo casu 40 contempserat; Milo unus urgebat.

XXXIII. Hic dii immortales, ut supra dixi, mentem illi perdito ac furioso dederunt, ut huic faceret insidias. Aliter perire pestis illa non potuit; nunquam illum res publica

suo jure esset ulta. Senatus, credo, prætorem eum circumscripsisset. Ne quum solebat quidem id facere, in privato eodem hoc aliquid profecerat. 89. An consules in prætore coercendo fortes fuissent? Primum, Milone occiso, 5 habuisset suos consules; deinde quis in eo prætore consul fortis esset, per quem tribunum virtutem consularem crudelissime vexatam esse meminisset? Oppressisset omnia, possideret, teneret; lege nova, quæ est inventa apud eum cum reliquis legibus Clodianis, servos nostros libertos suos 10 fecisset. Postremo, nisi eum dii immortales in eam mentem impulissent, ut homo effeminatus fortissimum virum conaretur occidere, hodie rem publicam nullam haberetis 90. An ille prætor, ille vero consul, si modo hæc templa atque ipsa mœnia stare eo vivo tamdiu et consulatum ejus exspe-15 ctare potuissent, ille denique vivus mali nihil fecisset, qui mortuus, uno ex suis satellitibus [Sex. Clodio] duce, curiam incenderit? Quo quid miserius, quid acerbius, quid luctuosius vidimus? Templum sanctitatis, amplitudinis, mentis, consilii publici, caput urbis, aram sociorum, portum omnium 20 gentium, sedem ab universo populo concessam uni ordini, inflammari, exscindi, funestari? neque id fieri a multitudine imperita, quamquam esset miserum id ipsum, sed ab uno? Qui quum tantum ausus sit ustor pro mortuo, quid signifer pro vivo non esset ausus? In curiam potissimum abjecit, 25 ut eam mortuus incenderet, quam vivus everterat. 91. Et sunt, qui de via Appia querantur, taceant de curia? et qui ab eo spirante forum putent potuisse defendi, cujus non restiterit cadaveri curia? Excitate, excitate ipsum, si potestis, a mortuis. Frangetis impetum vivi, cujus vix susti-30 netis furias insepulti? Nisi vero sustinuistis eos, qui cum facibus ad curiam concurrerunt, cum falcibus ad Castoris, cum gladiis toto foro volitarunt. Cædi vidistis populum Romanum, concionem gladiis disturbari, quum audiretur silentio M. Cœlius, tribunus plebis, vir et in re publica for-35 tissimus et in suscepta causa firmissimus et bonorum voluntati et auctoritati senatus deditus et in hac Milonis sive invidia sive fortuna singulari divina et incredibili fide.

XXXIV. 92. Sed jam satis multa de causa; extra causam etiam nimis fortasse multa. Quid restat, nisi ut orem 40 obtesterque vos, judices, ut eam misericordiam tribuatis fortissimo viro, quam ipse non implorat, ego, etiam repugnante hoc, et imploro et exposco? Nolite, si in nostro omnium fletu nullam lacrimam adspexistis Milonis, si vultum semper eundem, si vocem, si orationem stabilem ac

non mutatam videtis, hoc minus ei parcere. Haud scio, an multo etiam sit adjuvandus magis. Etenim si in gladiatoriis pugnis et in infimi generis hominum conditione atque fortuna timidos atque supplices et, ut vivere liceat, obsecrantes etiam odisse solemus, fortes et animosos et se acriter ipsos 5 morti offerentes servare cupimus, eorumque nos magis miseret, qui nostram misericordiam non requirunt, quam qui illam efflagitant, quanto hoc magis in fortissimis civibus facere debemus? 93. Me quidem, judices, exanimant et interimunt hæ voces Milonis, quas audio assidue et quibus 10 intersum quotidie. "Valeant, inquit, valeant cives mei; sint incolumes, sint florentes, sint beati; stet hæc urbs præclara mihique patria carissima, quoquo modo erit merita de me; tranquilla re publica mei cives (quoniam mihi cum illis non licet) sine me ipsi, sed per me tamen, perfruantur; 15 ego cedam atque abibo; si mihi bona re publica frui non licuerit, at carebo mala, et quam primam tetigero bene moratam et liberam civitatem, in ea conquiescam. 94. O frustra, inquit, mei suscepti labores! o spes fallaces! o cogitationes inanes meæ! Ego, quum tribunus plebis, re 20 publica oppressa, me senatui dedissem, quem exstinctum acceperam, equitibus Romanis, quorum vires erant debiles, bonis viris, qui omnem auctoritatem Clodianis armis abjecerant, mihi unquam bonorum præsidium defuturum putarem? ego, quum te (mecum enim sæpissime loquitur) 25 patriæ reddidissem, mihi putarem in patria non futurum locum? Ubi nunc senatus est, quem secuti sumus? ubi equites Romani illi, illi, inquit, tui? ubi studia municipiorum? ubi Italiæ voces? ubi denique tua illa, M. Tulli, quæ plurimis fuit auxilio, vox atque defensio? mihine ea soli, 30 qui pro te toties morti me obtuli, nihil potest opitulari?"

XXXV. 95. Nec vero hæc, judices, ut ego nunc, flens, sed hoc eodem loquitur vultu, quo videtis. Negat enim se, negat, ingratis civibus fecisse, quæ fecerit; timidis et omnia pericula circumspicientibus, non negat. Plebem et infimam 35 multitudinem, quæ P. Clodio duce fortunis vestris imminebat, eam, quo tutior esset vestra vita, se fecisse commemorat, ut non modo virtute flecteret, sed etiam tribus suis patrimoniis deleniret; nec timet, ne, quum plebem muneribus placarit, vos non conciliarit meritis in rem publicam singu- 40 laribus. Senatus erga se benevolentiam temporibus his ipsis sæpe esse perspectam, vestras vero et vestrorum ordinum occursationes, studia, sermones, quemcunque cursum fortuna dederit, secum se ablaturum esse dicit. 96. Me-

minit etiam, vocem sibi præconis modo defuisse, quam minime desiderarit, populi vero cunctis suffragiis, quod unum cupierit, se consulem declaratum; nunc denique, si hæc contra se sint futura, sibi facinoris suspicionem, non
5 facti crimen obstare. Addit hæc, quæ certe vera sunt, fortes et sapientes viros non tam præmia sequi solere recte factorum quam ipsa recte facta; se nihil in vita nisi præclarissime fecisse, si quidem nihil sit præstabilius viro, quam periculis patriam liberare; beatos esse, quibus ea res
10 honori fuerit a suis civibus, 97. nec tamen eos miseros, qui beneficio cives suos vicerint; sed tamen ex omnibus præmiis virtutis, si esset habenda ratio præmiorum, amplissimum esse præmium gloriam; esse hanc unam, quæ brevitatem vitæ posteritatis memoria consolaretur, quæ efficeret,
15 ut absentes adessemus, mortui viveremus; hanc denique esse, cujus gradibus etiam in cœlum homines viderentur ascendere. 98. "De me, inquit, semper populus Romanus, semper omnes gentes loquentur, nulla unquam obmutescet vetustas. Quin hoc tempore ipso, quum omnes a meis
20 inimicis faces invidiæ meæ subjiciantur, tamen omni in hominum cœtu gratiis agendis et gratulationibus habendis et omni sermone celebramur. Omitto Etruriæ festos et actos et institutos dies; centesima lux est hæc ab interitu P. Clodii et, opinor, altera; qua fines imperii populi Ro-
25 mani sunt, ea non solum fama jam de illo, sed etiam lætitia peragravit. Quamobrem, ubi corpus hoc sit, non, inquit, laboro, quoniam omnibus in terris et jam versatur et semper habitabit nominis mei gloria."

XXXVI. 99. Hæc tu mecum sæpe, his absentibus;
30 sed iisdem audientibus hæc ego tecum, Milo: te quidem, quum isto animo es, satis laudare non possum; sed, quo est ista magis divina virtus, eo majore a te dolore divellor. Nec vero, si mihi eriperis, reliqua est illa tamen ad consolandum querela, ut his irasci possim, a quibus tantum
35 vulnus accepero. Non enim inimici mei te mihi eripient, sed amicissimi, non male aliquando de me meriti, sed semper optime. Nullum mihi unquam, judices, tantum dolorem inuretis (etsi quis potest esse tantus?), sed ne hunc quidem ipsum, ut obliviscar, quanti me semper feceritis. Quæ si
40 vos cepit oblivio, aut si in me aliquid offendistis, cur non id meo capite potius luitur quam Milonis? Præclare enim vixero, si quid mihi acciderit prius, quam hoc tantum mali videro. 100. Nunc me una consolatio sustentat, quod tibi, T. Anni, nullum a me amoris, nullum studii, nullum pietatis

officium defuit. Ego inimicitias potentium pro te appetivi, ego meum sæpe corpus et vitam objeci armis inimicorum tuorum, ego me plurimis pro te supplicem abjeci, bona, fortunas meas ac liberorum meorum in communionem tuorum temporum contuli; hoc denique ipso die, si qua vis 5 est parata, si qua dimicatio capitis futura, deposco. Quid jam restat? quid habeo, quod faciam pro tuis in me meritis, nisi ut eam fortunam, quæcunque erit tua, ducam meam? Non abnuo, non recuso, vosque obsecro, judices, ut vestra beneficia, quæ in me contulistis, aut in hujus salute augeatis 10 aut in ejusdem exitio occasura esse videatis.

XXXVII. 101. His lacrimis non movetur Milo. Est quodam incredibili robore animi; exsilium ibi esse putat, ubi virtuti non sit locus; mortem naturæ finem esse, non pœnam. Sed hic ea mente, qua natus est; quid vos, ju- 15 dices? quo tandem animo eritis? Memoriam Milonis retinebitis, ipsum ejicietis? et erit dignior locus ullus in terris, qui hanc virtutem excipiat, quam hic, qui procreavit? Vos, vos appello, fortissimi viri, qui multum pro re publica sanguinem effudistis; vos in viri et in civis invicti periculo 20 appello, centuriones, vosque, milites; vobis non modo inspectantibus, sed etiam armatis et huic judicio præsidentibus, hæc tanta virtus ex hac urbe expelletur, exterminabitur, projicietur? 102. O me miserum, o me infelicem! Revocare tu me in patriam, Milo, potuisti per hos, ego te in 25 patria per eosdem retinere non potero? Quid respondebo liberis meis, qui te parentem alterum putant? quid tibi, Quinte frater, qui nunc abes, consorti mecum temporum illorum? mene non potuisse Milonis salutem tueri per eosdem, per quos nostram ille servasset? At in qua causa 30 non potuisse? quæ est grata * * gentibus non potuisse? iis, qui maxime P. Clodii morte acquierunt; quo deprecante? me. 103. Quodnam ego concepi tantum scelus, aut quod in me tantum facinus admisi, judices, quum illa indicia communis exitii indagavi, patefeci, protuli, exstinxi? 35 Omnes in me meosque redundant ex fonte illo dolores. Quid me reducem esse voluistis? an ut, inspectante me, expellerentur ii, per quos essem restitutus? Nolite, obsecro vos, acerbiorem mihi pati reditum esse, quam fuerit ille ipse discessus. Nam qui possum putare me restitutum esse, si 40 distrahar ab iis, per quos restitutus sum?

XXXVIII. Utinam dii immortales fecissent (pace tua, patria, dixerim; metuo enim, ne scelerate dicam in te, quod pro Milone dicam pie), utinam P. Clodius non modo vive-

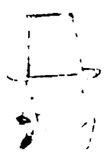
ret, sed etiam prætor, consul, dictator esset potius, quam hoc spectaculum viderem! 104. O dii immortales! fortem et a vobis, judices, conservandum virum! "Minime, minime, inquit. Immo vero pœnas ille debitas luerit; nos subeamus, si ita necesse est, non debitas." Hiccine vir patriæ natus usquam nisi in patria morietur, aut, si forte, pro patria? hujus vos animi monumenta retinebitis, corporis in Italia nullum sepulcrum esse patiemini? hunc sua quisquam sententia ex hac urbe expellet, quem omnes urbes expulsum a vobis ad se vocabunt? 105. O terram illam beatam, quæ hunc virum exceperit; hanc ingratam, si ejecerit, miseram, si amiserit! Sed finis sit. Neque enim præ lacrimis jam loqui possum, et hic se lacrimis defendi vetat. Vos oro obtestorque, judices, ut in sententiis ferendis, quod sentietis, id audeatis. Vestram virtutem, justitiam, fidem, mihi credite, is maxime probabit, qui in judicibus legendis optimum et sapientissimum et fortissimum quemque delegit.





The way the whip was [illegible].

NOTES.





NOTES.

THE FOUR ORATIONS AGAINST CATILINE.

GENERAL INTRODUCTION.

CATILINA, L. SERGIUS,* the descendant of an ancient patrician family which had sunk into poverty, first appears in history as a zealous partisan of Sulla. During the horrors of the great proscription, among many other victims, he killed, with his own hand, his brother-in-law, Q. Cæcilius, described as a quiet, inoffensive man, and having seized and tortured the well-known and popular M. Marius Gratidianus, the kinsman and fellow-townsman of Cicero, cut off his head, and bore it in triumph through the city. Plutarch accuses him in two places (*Sull.* 32, *Cic.* 10) of having murdered his own brother at the same period, under circumstances of peculiar atrocity, but there is probably some confusion here between the brother and the brother-in-law; for Sallust, when enumerating the crimes of Catiline, would scarcely have failed to add such a monstrous deed as this to the black catalogue. Although his youth was spent in the most reckless extravagance, and in the open indulgence of every vice; although he was known to have been guilty of various acts of the foulest and most revolting debauchery; although he had incurred the suspicion of an intrigue with the vestal Fabia, sister of Terentia; and although it was said and believed that he had made away with his first wife and afterwards with his son, in order that he might wed the fair and rich but worthless Aurelia Orestilla, who objected to the presence of a grown-up step-child, yet this complicated infamy appears to have formed no bar to his regular political advancement,—for he attained to the dignity of prætor in B. C. 68, was governor of Africa during the following year, and returned to Rome in 66, in order to press his suit for the consulship. The election for 65 was carried by P. Autronius Pætus and P. Cornelius Sulla, both of whom were soon after convicted of bribery, and their places supplied by their competitors and accusers, L. Aurelius Cotta and L. Manlius Torquatus; Catiline, who was desirous of becoming a candidate, having been disqualified in consequence of an impeachment for oppression in his province, preferred by P. Clodius Pulcher, afterwards so celebrated as the implacable enemy of Cicero. Exasperated by their disappointment, Autronius and Catiline forthwith formed a project along with a certain Cn. Calpurnius Piso, a young man of high family, but turbulent, needy, and profligate, to murder the new consuls upon the first of January, when offering up their vows in the Capitol, after which Autronius and Catiline were to seize the fasces, and Piso was to be dispatched with an army to occupy the Spains. Some rumors of what was in contemplation having been spread abroad, such precautions were taken that the conspirators were induced to delay the execution of their plan until the 5th of February, resolving at the same time to include many of the leading men of the state in the proposed massacre. This extraordinary design is said to have been frustrated solely by the impatience of Catiline, who, upon the appointed day, gave the signal prematurely, before the whole of the armed agents had assembled,

* This account of the career of Catiline is the article under that head in the "Dictionary of Greek and Roman Biography and Mythology."

and thus confounded the preconcerted combinations. The danger being past, certain resolutions were proposed in the senate with regard to the authors of this abortive attempt; but the proceedings were quashed by the intercession of a tribune. The plot was, however, a matter of common discussion, and no one seems to have entertained any doubt of its reality, while many did not scruple to assert that M. Crassus and Julius Cæsar, who was then ædile, were deeply involved. (Q. Cic. *de pet. Cons.* 2, &c.; Asconius *in Tog. cand.* and *in Cornel.;* Sall. *Catil.* 15–18; Liv. *Epit.* 101; Dion Cass. xxxvi 27; Sueton. *Jul.* 9; Cic. *pro Sulla*, 1–24, *pro Murena*, 38, *pro Cael.* 4, *in Catil.* i. 6.)

Encouraged rather than disheartened by a failure which had so nearly proved a triumph, and which had so distinctly demonstrated the practicability of such a project, if conducted with common prudence and caution, Catiline was soon after (B. C. 65) left completely unfettered, by his acquittal upon trial for extortion, a result secured, it was alleged, by the liberal bribes administered to the accuser as well as to the jury. From this time he seems to have determined to proceed more systematically; to enlist a more numerous body of supporters; to extend the sphere of operations, and to organize a more comprehensive and sweeping scheme of destruction. Accordingly, about the beginning of June, B. C. 64, probably soon after the successful termination of his second trial, when called to account for the blood which he had shed during the proscription of Sulla (Dion Cass. xxxvii. 10), he began, while canvassing vigorously for the consulship, to sound the dispositions of various persons, by pointing out the probable success of a great revolutionary movement, and the bright prospect of power and profit opened up to its promoters. After having thus ascertained the temper of different individuals, he called together those who from their necessities, their characters, and their sentiments, were likely to be most eager and most resolute in the undertaking. The meeting, according to Sallust, was attended by eleven senators, by four members of the equestrian order, and by several men of rank and influence from the provincial towns. The most conspicuous were P. Cornelius Lentulus Sura, who had been consul in B. C. 71, but having been passed over by the censors had lost his seat in the senate, which he was now seeking to recover by standing a second time for the prætorship (Dion Cass. xxxvii. 30); C. Cornelius Cethegus, distinguished throughout by his impatience, headstrong impetuosity, and sanguinary violence (Sall. *Cat.* 43; Cic. *pro Sull.* 19); P. Autronius, spoken of above; L. Cassius Longinus, at this time a competitor for the consulship, dull and heavy, but bloodthirsty withal (Cic. *in Cat.* iii. 4–6; *pro Sulla*, 13); L. Vargunteius, who had been one of the colleagues of Cicero in the quæstorship, and had subsequently been condemned for bribery (*pro Sull.* 5, 6, 18); L. Calpurnius Bestia, tribune elect; Publius and Servius Sulla, nephews of the dictator; M. Porcius Læca (Cic. *in Cat.* i. 4, ii. 6, *pro Sull.* 2, 18); Q. Annius; Q. Curius; M. Fulvius Nobilior; L. Statilius; P. Gabinius Capito; C. Cornelius. In addition to these, a great body of the younger nobility were known to be favorably inclined, although they had not openly committed themselves; and now, as on the former occasion, rumor included Crassus and Cæsar, although the report does not appear to have gained general belief.

At this assembly, Catiline, after expatiating upon a number of topics calculated to rouse the indignation and stimulate the cupidity of his audience, proceeded to develop his objects and resources. He proposed that all debts should be cancelled, that the most wealthy citizens should be proscribed, and that all offices of honor and emolument should be divided among the associates, while for support he counted upon Piso in Hither Spain, P. Sittius Nucerinus with the army in Mauritania, and at home confidently anticipated the co-operation of C. Antonius, whom he expected to be chosen consul along

with himself for the following year, having formed a coalition with him for the purpose of excluding Cicero. The votes of the people, however, in some measure deranged these calculations. Cicero and C. Antonius were returned, the former nearly unanimously, the latter by a small majority over Catiline. This disappointment, while it increased if possible the bitterness of his animosity towards the dominant party among the aristocracy and the independent portion of the middle ranks, rendered him more vigorous in the prosecution of his designs. Large sums of money were raised upon his own security, or on the credit of his friends; magazines of arms and other warlike stores were secretly formed; troops were levied in various parts of Italy, especially in the neighborhood of Fæsulæ, under the superintendence of C. Manlius, an experienced commander, one of the veteran centurions of Sulla (Dion Cass. xxxvii. 30), and numerous adherents were enrolled from the most desperate classes, including not a few women of ruined reputation; attempts also were made in various quarters to gain over the slaves, and it was determined, when the critical moment should arrive for an open demonstration, to set fire to the city in many different places at the same instant, and to slaughter the well-disposed portion of the population in the tumult. Meanwhile, in the midst of these extensive preparations, Catiline again (63) stood candidate for the consulship, and used every effort to get rid of Cicero, who met him at every turn and thwarted all his best-contrived machinations. Nor was this wonderful, for he was countermined from a quarter whence he apprehended no danger. One of the most high-born, abandoned, but, at the same time, weak and vacillating, among the conspirators, was a certain Q. Curius, who had been expelled from the senate by the censors on account of the infamy of his life. This man had long consorted with a noble mistress named Fulvia, who appears to have acquired complete control over his mind, and to have been made the depositary of all his secrets. Fulvia, alarmed by the intelligence obtained from her lover, divulged what she had learned to several of her acquaintances, and, through them, opened a correspondence with Cicero, to whom she regularly communicated all the particulars she could collect, and at length persuaded Curius himself to turn traitor and betray his comrades. Thus the consul was at once put in possession of every circumstance as soon as it occurred, and was enabled to keep vigilant watch over the conduct of every individual from whom danger was to be apprehended. By imparting to a certain extent his fears and suspicions to the senators and moneyed men, he excited a general feeling of distrust and suspicion towards Catiline, and bound firmly together, by the tie of common interest, all who having property to lose looked forward with dread to confusion and anarchy; Antonius, whose good faith was more than doubtful, he gained over by at once resigning to him the province of Macedonia, while he protected his own person by a numerous body of friends and dependents who surrounded him whenever he appeared in public. These preliminary measures being completed, he now ventured to speak more openly; prevailed upon the senate to defer the consular elections in order that the state of public affairs might be fully investigated; and at length, on the 21st of October, openly denounced Catiline, charged him broadly with treason, predicted that in six days from that time Manlius would take the field in open war, and that the 28th was the period fixed for the murder of the leading men in the commonwealth. Such was the consternation produced by these disclosures, that many of those who considered themselves peculiarly obnoxious instantly fled from Rome, and the senate being now thoroughly roused, passed the decretum ultimum, in virtue of which the consuls were invested for the time being with absolute power, both civil and military. Thus supported, Cicero took such precautions that the Comitia passed off without any outbreak or even attempt at violence, although an at-

tack upon the magistrates had been meditated. Catiline was again rejected; was forthwith impeached of sedition, under the Plautian law, by L. Æmilius Paullus; was forced to abandon the expectation he had entertained of surprising the strong fortress of Præneste, which would have formed an admirable base for his warlike operations; and found himself every hour more and more closely confined and pressed by the net in which he was entangled through the activity of Cicero. Driven to despair by this accumulation of disappointments and dangers, he resolved at once to bring matters to a crisis, and no longer to waste time by persevering in a course of policy in which he had been so repeatedly foiled. Accordingly, while he still endeavored to keep up appearances by loud protestations of innocence, and by offering to place himself under the control and surveillance of M. Lepidus; of Q. Metellus, the prætor; or of M. Marcellus, in whose house he actually took up his abode; or even of Cicero himself; on the night of the 6th of November he met the ringleaders at the dwelling of M. Porcius Læca, and after complaining of their backwardness and inactivity, informed them that he had dispatched Manlius to Etruria, Septimius of Camerinum, to Picenum, C. Julius to Apulia, and others of less note to different parts of Italy to raise open war, and to organize a general revolt of the slave population. He added that he was desirous to place himself at the head of his troops, but that it was absolutely necessary in the first place to remove Cicero, whose vigilance was most injurious to their cause. Upon this L. Vargunteius, a senator, and C. Cornelius, a knight, undertook to repair at an early hour the following morning to the house of the consul, to make their way into his chamber as if for the purpose of paying their respects, and then to stab him on the spot. The whole of these proceedings were instantly reported to their intended victim; the assassins, when they presented themselves, were refused admission, and certain intelligence having been now received that the rebellion had actually broken out, on the 27th of October, in Etruria, Cicero, on the 8th of November, went down to the senate, which, for greater security, had been summoned to meet in the temple of Jupiter Stator, and there delivered his celebrated oration, "Quousque tandem abutere, Catilina, patientia nostra?" which paralyzed the traitor, not so much by the vehemence of the invective, as by the intimate acquaintance which it displayed with all his most hidden contrivances. Catiline, who upon his entrance had been avoided by all, and was sitting alone upon a bench from which every one had shrunk, rose to reply with downcast countenance, and in humble accents implored the fathers not to listen to the malignant calumnies of an upstart foreigner against the noblest blood in Rome; but scarcely had he commenced when his words were drowned by the shouts of "enemy" and "parricide" which burst from the whole assembly, and he rushed forth with threats and curses on his lips. On his return home, perceiving that there was now no hope of destroying his hated foe, and that the strict watch kept throughout the city rendered tumult and fire-raising difficult if not impossible for the present, he resolved to strike some decisive blow before troops could be levied to oppose him, and accordingly leaving the chief control of affairs at Rome in the hands of Lentulus and Cethegus, with the promise at the same time to march with all speed to their support at the head of a powerful army, set forth in the dead of night (8th–9th November), and after remaining for a few days with his adherents in the neighborhood of Arretium, where he assumed the fasces and other ensigns of lawful military command, proceeded to the camp of Manlius, having previously addressed letters to the most distinguished consulars and others, solemnly protesting his innocence, and declaring that, unable to resist the cabal formed among his enemies, he had determined to retire to Marseilles, that he might preserve his country from agitation and disturbance.

On the 9th, when the flight of Catiline was known, Cicero delivered his second speech, which was addressed to the people in the forum. The senate proceeded to declare Catiline and Manlius public enemies, dispatched officers of high standing to Etruria, Picenum, Campania, Apulia, and the different districts from which danger was apprehended, directed the consuls to hold a levy with all speed, decreed that Antonius should go forth to the war, and that Cicero should remain to guard the city; offering at the same time an amnesty to all who should quit the rebels, and free pardon and great rewards to any who should give such information as might lead to the discovery and conviction of the conspirators within the walls. It is a remarkable fact, and one which indicates most strongly the disaffection of the lower classes to the existing order of things, that not one man could be found to take advantage of this proclamation, and that not a single soldier deserted from the rebel standard. This circumstance threatened to prove a source of most serious embarrassment. Although the existence of the conspiracy and the names of the leading conspirators were known, not only to the magistrates but to the public at large, yet there was no legal evidence against any individual; for Curius, while he faithfully supplied secret intelligence, could not come forward openly without blasting himself forever, and at the same time depriving the government of its most powerful auxiliary. But such steadfastness of purpose did not extend to certain foreigners belonging to a race proverbial in ancient times for the lightness of their faith. There was at Rome at this period a party of Allobroges, deputies dispatched by their nation to seek relief from certain real or alleged grievances. Their suit, however, had not prospered, and their complaints of the cupidity of the magistrates and of the indifference of the senate were open and loud. Lentulus, conceiving that their discontent might be made available for his own purposes, opened a negotiation through the medium of P. Umbrenus, a freedman, who, in the course of mercantile transactions, had become acquainted with most of the Gaulish chiefs, and who now assuming a tone of warm sympathy with their wrongs, undertook to point out an easy method by which they might obtain ample redress. Finding that these mysterious hints were greedily caught up, he gradually disclosed the nature of the plot, and invited them to co-operate by stimulating their countrymen to insurrection. The men for a long while hesitated, but prudence prevailed. After calculating and balancing the chances, they resolved to secure a certain and immediate recompense, rather than to speculate upon doubtful and distant advantages. Accordingly, they revealed all to Q. Fabius Sanga, the patron of their state, who in his turn acquainted Cicero, and by the instructions of the latter enjoined the ambassadors to affect great zeal in the undertaking, and if possible to gain possession of some tangible documentary proof. The Gauls played well the part assigned to them. A written agreement, signed by Lentulus, Cethegus, and Statilius, was placed in their hands, and they quitted Rome soon after midnight on the 3d of December, accompanied by T. Volturcius, of Crotona, who was charged with dispatches for Catiline, it being arranged that the Allobroges were to visit his camp on their way homewards for the double purpose of receiving his orders and obtaining a ratification of the pledges given by his agents. The whole cavalcade was surrounded and seized as it was crossing the Milvian bridge, by two of the prætors who had been stationed in ambush to intercept them. The Gauls quietly surrendered; Volturcius, after having vainly endeavored to resist, was overpowered and forced to yield.

Cicero, when informed of the complete success of his plan, instantly summoned Lentulus, Cethegus, Statilius, and Gabinius to his presence. Lentulus being prætor, the consul led him by the hand to the fane of Concord, where the senate was already met; the rest of the accused followed closely guarded. The prætor Flaccus was also in attendance, bearing the portfolio with the

papers still sealed. Volturcius finding escape impossible, agreed, upon his own personal safety being insured, to make a full confession. His statements were confirmed by the Allobroges, and the chain of testimony was rendered complete and conclusive by the signatures in the handwriting of the ringleaders, which they were unable to deny. The guilt of Lentulus, Cethegus, and seven others being thus established beyond a doubt, Lentulus was forced to abdicate his office, and then along with the rest was consigned to the charge of certain individuals of high station who became responsible for their appearance.

These circumstances as they had occurred having been fully detailed by Cicero in his third oration, delivered in the forum, a strong reaction took place among the populace, who all now joined in execrating Catiline and demanding vengeance, from the well-founded conviction, that although they might have derived profit from riot or even from civil war, yet the general conflagration, which had always formed a leading feature in the schemes of the conspirators, must have brought ruin upon the humblest mechanics as well as upon the wealthiest of the aristocracy. On the other hand, a vigorous effort was made by the clients of Lentulus to excite the dregs of the multitude to attempt his rescue. The danger appearing imminent, the senate was called together on the nones (5th) of December, the day so frequently referred to by Cicero in after times with triumphant pride, and the question was put, What was their pleasure with regard to those who were now in custody? After an animated debate, of which the leading arguments are strongly and pointedly expressed in the two celebrated orations assigned by Sallust to Cæsar and to Cato, a decree was passed, that the last punishment should be inflicted according to ancient usage upon the convicted traitors. Thereupon the consul led away Lentulus to the subterranean prison on the slope of the capitol, and the others were conducted thither by the prætors. On the self-same night, the high-born patrician Lentulus, a member of the noble Cornelia gens, was strangled in that loathsome dungeon by the common executioner, and the rest of his associates shared his fate.

While these things were going on at Rome, Catiline had gradually collected a force amounting to two legions, although not above one-fourth part of the whole, or about 5,000 men, were fully equipped, the rest being armed with pikes, clubs, and other rude weapons which chance presented. On the approach of Antonius, Catiline, fearing to encounter regular troops with this motley crowd, threw himself into the mountains, and, by constantly shifting his ground and moving rapidly in different directions, contrived to avoid a collision, while at the same time he exercised and disciplined his followers, whose numbers daily increased, although he now refused to enrol slaves, multitudes of whom flocked to his banner, deeming that it might prove injurious to his prospects were he to identify their interests with what he termed the cause of Roman freedom. But when the news arrived of the disclosures that had taken place in the city, of the complete suppression of the plot, and of the execution of the leading conspirators, many who had joined his standard, from the love of excitement and the hope of plunder, gradually slunk away. Those who remained firm he led into the territory of Pistoria, with the design of crossing the Apennines and taking refuge in Gaul. But this movement was anticipated by the vigilance of Metellus Celer, who guarded Picenum with three legions, and had marched straight to the foot of the hills that he might intercept the insurgents on their descent.

Catiline, therefore, at the beginning of the year 62, finding that escape was cut off in front, while Antonius was pressing on his rear, turned fiercely on his pursuers and determined as a last resource to hazard an engagement, trusting that, if successful, all Etruria would be thrown open for the maintenance of

his soldiers, and that he would be able to keep his ground in the disaffected districts until some diversion in his favor should be made in the metropolis. The battle, in which the legions of the republic were commanded by M. Petreius, in consequence of the real or pretended illness of the proconsul Antonius, was obstinate and bloody. The rebels fought with the fury of despair, and long kept at bay the veterans by whom they were assailed. Catiline, in this his last field, nobly discharged the duties of a skilful general and a gallant soldier; his eye and his hand were everywhere; he brought up columns to support those who were most hotly pressed; withdrew the wounded and the weary, and supplied their place with the sound and fresh; flew from rank to rank encouraging the combatants, and strove by repeated feats of daring valor to turn the fortune of the day. But, at length, perceiving that all was lost, he charged headlong where the foes were thickest, and fell sword in hand fighting with resolute courage, worthy of a better cause and a better man. His body was found, after the struggle was over, far in advance of his own ranks in the midst of a heap of his enemies; he was yet breathing, and his features in the agonies of death still wore their habitual expression of reckless daring. His adherents, to the number of 3000, imitated the example of their leader. Each perished at his post, and not one freeborn citizen was taken alive either in the fight or in the pursuit. The victory cost the consular army dear, for all the bravest were slain or grievously wounded.

Although we possess only a one-sided history of this famous conspiracy; although much that has been recorded seems so marvellous and incredible, that many have regarded the whole narrative as little better than a fabric of misrepresentation and falsehood, built up by violent political animosity, and resting on a very slender basis of truth; although it cannot be denied that some of the particulars, set down by Dion Cassius (xxxvi. 30) and alluded to by others (*e. g.* Sall. *Cat.* 32), of the revolting rites by which the compact between the associates was ratified, are evidently vulgar exaggerations; although little reliance can be placed on the self-panegyrics of Cicero, who would studiously seek to magnify the danger in order to enhance the merits of his own exertions; yet, upon a careful and dispassionate investigation, we shall discover no reasonable ground for entertaining any doubts with regard to the general accuracy of the facts as presented to us by Sallust, whose account is throughout clear and consistent, and is corroborated in all the most important details by the information transmitted from other sources. Nor, upon a close examination into the circumstances of the individuals concerned, of the times, and of the state of public feeling and public morals, shall we have much difficulty in forming a distinct idea of the character of Catiline himself, of the motives by which he was stimulated, and of the calculations by which he was encouraged to anticipate success.

Trained in the wars of Sulla, he was made familiar from his earliest youth with civil strife, acquired an indifference to human suffering, and imbibed an utter contempt for the constitutional forms and government of his country, which had been so freely neglected or violated by his patron. The wealth quickly acquired was recklessly squandered in the indulgence of coarse sensuality; and, although his shattered fortunes may have been to a certain extent repaired by a wealthy marriage, and by the plunder of a province, yet the relief was but temporary; his pleasures were too costly; a considerable portion of his ill-gotten gains would be expended in bribing the different juries who pronounced his innocence, and his necessities soon became pressing. The remorse too produced by his frightful vices and crimes—remorse which was betrayed by the haggard cheek, the bloodshot eye, the wild glance, and the unsteady step, so graphically depicted by the historian—must have given rise to a frame of mind which would eagerly desire to escape from reflection and

seek relief in fierce excitement. On the other hand, the consciousness of those great mental and physical powers, from which even his most bitter enemies could not withhold a tribute of admiration, combined with the extensive popularity which he had acquired among the young by his agreeable address, varied accomplishments, and unwearied zeal in ministering to their pleasures, must have tended to augment his natural self-confidence, to foster his pride, and to stimulate his ambition. How soon the idea of destroying the liberties of his country may have entered his thoughts it is impossible to discover, but we can readily believe that the career of Sulla was ever present to his imagination, that his grand aim was to become what the dictator had been, and that, provided this end was accomplished, he felt little scrupulous about the means employed. And, in truth, when he looked abroad, the moment seemed most propitious for the advancement of a man of daring and powerful intellect uncontrolled by principle. The leading statesmen were divided into factions which eyed each other with the bitter jealousy engendered during the convulsions in which they had played an active part some twenty years before. The younger nobility, as a class, were thoroughly demoralized, for the most part bankrupts in fortune as well as in fame, eager for any change which might relieve them from their embarrassments, while it held out the promise of unrestrained license. The rabble were restless and discontented, filled with envy and hatred against the rich and powerful, ever ready to follow at the bidding of any seditious demagogue. Thus, at home, the dominant party in the senate, and the equites or capitalists alone felt a deep interest in the stability of the government. Moreover, a wide-spread feeling of disaffection extended over the whole of Italy. Many of the veterans of Sulla, accustomed to riotous living and profuse expenditure, had already squandered their hoards, and looked forward with anxiety to the renewal of those scenes of blood which they had found by experience so profitable; while the multitude whose estates had been confiscated, whose relations had been proscribed, and who themselves were suffering under civil disabilities in consequence of their connection with those who had thus perished, were eagerly watching for any movement which might give them a chance of becoming oppressors, robbers, and murderers in their turn.

Never was the executive weaker. The senate and magistrates were wasting their energies in petty disputes, indifferent to the great interests of the commonwealth; Pompey, at the head of all the best troops of the republic, was prosecuting a long-protracted and doubtful war in the East; there was no army in Italy, where all was hushed in a treacherous calm. If then, Catiline, surrounded as he was by a large body of retainers all devotedly attached to his person and detached from society at large by the crimes which he had suggested or promoted, had succeeded in striking his first great blow, had he assassinated the consuls and the most able of the senators, the chances were, that the waverers among the higher ranks would have at once espoused his cause, that the populace would have been intimidated or gained over, and that thousands of ruined and desperate men would have rushed from all quarters to his support, enabling him to bid defiance to any force which could have been brought to bear upon the city until the return of Pompey from the East. But Pompey might never return, or might not return victorious, or, at all events, a long period must elapse, and ample time would be given for negotiations or resistance. Such were the probabilities which led on Catiline to hazard all upon one great throw;—but the fortune of Rome prevailed, the gambler was ruined, and the state saved. (Sall. *Catilin.*; Dion. Cass. xxxvi. 27, xxxvii. 10, 29–42; Liv. *Epit.* 101, 102; Cic. *in Catilin.* i. ii. iii. iv., *pro Sulla*, *pro Murena*, 25, 26, *in Pison.* 2, *pro Flacc.* 40, *pro Planc.* 37, *ad Att.* i. 19, ii. 1, xii. 21, xvi. 14, *ad Fam.* i. 9; Sueton. *Jul.* 14; Plut. *Cic.* 10–22, *Cat. Min.* 23.)

Miserably punctuated text.
For instance see Page 29: Line 14 one comma wanted. L. 15: 2 commas, L. 17. 1 comma. [illegible]

FIRST ORATION AGAINST CATILINE.

ANALYSIS.

This oration is distributed into three parts:—

1. In the introduction the orator expresses his astonishment at the bold appearance of Catiline in the senate, and reminds him with what severity he ought long before to have been treated, as similar cases were dealt with in earlier periods of the state.[1] He at the same time gives the reasons, for which he has not already put Catiline to death. (Chaps. 1, 2.)
2. The main proposition is a summons to Catiline to leave the city, to go either into exile or into the camp of Mallius (ch. 3); for—

(a) His shameful conspiracy is known to all, his private life stained by crimes of every kind, and his public life has to such a degree excited the abhorrence of the senate, the citizens, and the whole country, that it by an emphatic silence, as it were, demands the removal of Catiline, although the consul by allowing him to go unpunished will bring upon himself the greatest odium. (Chaps. 3–9, § 23.)

(b) It must be agreeable to Catiline himself to leave Rome and withdraw to the camp of Mallius, whither he has already sent forward his troops, finding as he does, consistently with his character, his greatest delight in making war upon his country, and in the society of similar disturbers of the public peace. (Ch. 9, § 24, to ch. 10.) And,

(c) Such a withdrawal of Catiline will be more advantageous to the state than would be his execution, as in the former case his fellow-conspirators will follow him, and thus the seeds of disorder be extirpated. This last consideration the orator adds especially as a justification of his course of proceeding. (Chaps. 11–13, § 32.)

3. In conclusion, Cicero promises to the senate the co-operation of all orders in suppressing the remnants of the conspiracy, after the removal of Catiline and his associates; and, again bidding Catiline with his adherents to leave Rome, he supplicates Jupiter Stator to protect and save the Roman state. (Ch. 13, § 32–end.)

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Ch. I.—**1. Quousque tandem.** The abruptness of the language and the interrogative form here strongly express the indignation of the orator at seeing Catiline, contrary to all expectation, present in the senate, as though innocent of all treasonable designs against his country. Comp. Sall. *B. C.* 31.—*Tandem* expresses impatience and adds force to the interrogation. It may often be rendered "pray," "I pray" So Sall. *Cat.* 20: *Quæ quousque tandem patiemini?* See Zumpt, § 287.—*Abutēre* = misapply, i. e. by making use of it to confirm, not correct your audacity. Of the form in *re* for *ris*, see Z. § 166.

2. Nostra. Not of Cicero or the consuls only but of the senate also.—*Etiam* (*et jam*). Sometimes the notion of time prevails, and it = "still," as here, "How long—still?"—*Furor.* Benecke notices

Page 9 the energy imparted by the personification of *furor* and *audacia*. *Furere* is often used of instigators of sedition. *Quid est aliud furere, nisi non cognoscere homines, non cognoscere leges, non senatum, non civitatem?* Cic. *in Pison.* 20, 47.—*Eludet.* Properly a gladiatorial term of avoiding a thrust by the rapid motion of the body; hence figuratively to deceive, baffle, and here with the notion of derision and contempt, derived from the bearing of the victor, to mock, insult over. —*Nos* is bracketed by Orelli as doubtful, defended by Klotz, omitted by Madvig. See *pro Milone*, 12, 32.

3. Quem ad finem. This phrase should not be used to signify purpose or aim, but as equivalent to *quousque* or *quamdiu*. So *Verr.* 5, 29, 75: *piratam vivum tenuisti. Quem ad finem? Dum cum imperio fuisti.* Of the three interrogatives here used, *quousque* puts the more general question, with reference to *time* and *degree*; *quamdiu* and *quem ad finem*, the more special, the former in regard to *time* only, the latter in regard to *degree* only. Schultz.—*Jactabit* = *insolenter se efferet.* The notion is derived from the proud gesture of one who tosses his head contemptuously, walks with a conceited swing, &c. Muretus calls attention to the frequency of the letter *a* in this passage, as giving fuller tone and stateliness to the discourse, and contrasts it with *cupio P. C. me esse clementem*, ch. 2, 4.—*Nihilne.* For the figure *repetitio* here used, see Arnold, *P. C.* 263; Z. 821; and for *nihil* instead of *non*, see Z. 677.

4. Palatii. The Palatine hill, which overhung the Forum on the south. At an earlier date it was the residence of the kings, and, before the time of Augustus, of distinguished Romans. Cicero, Antony, Scaurus, and Catiline himself had houses on it. Augustus built upon it a splendid mansion, and succeeding emperors made it their residence, so that *palatium* came to signify any royal residence, and hence the English word *palace*. In dangerous times a guard was set upon it, as upon its possession depended the possession of the city. Comp. Sall. *Cat.* 49: *Nonnulli equites Romani—præsidii causa cum telis erant circum ædem Concordiæ.*—*Vigiliæ.* See Sall. *Cat.* 30: *itemque decrevere, uti—Romæ per totam urbem vigiliæ haberentur, iisque minores magistratus præessent.* Under the republic, on special occasions, the triumviri capitales, ædiles or tribuni plebis, who are meant by "minores magistratus" in the passage of Sallust, were charged with providing a watch for the city. Cf. Liv. 39, 14. The *triumviri nocturni* appointed a watch to guard against fires. Augustus concentrated these offices in one head of police, the *præfectus urbi* and a special *præfectus vigilum*.

5. Timor populi. Compare Sallust's description of this alarm, *Cat.* 31: *repente omnis tristitia invasit .... suo quisque metu pericula metiri*, &c.; and *pro Murena*, ch. 26.—*Bonorum omnium. Boni*, as often, used of the patriotic, conservative, order and quiet

loving portion of the community. See *Dict. of Greek and Roman Antiquities*, OPTIMATES.

6. Locus. The temple of Jupiter Stator at the foot of the Palatine. See infr. ch. 5, 11, and 2, 6, 12. The regular meetings of the senate were held on the calends, nones, and ides of each month, and commonly in the Curia Hostilia. Extraordinary meetings (*senatus indictus*) might be called on other days, and were often held in temples, or some other place inaugurated by the augurs for the purpose.—*Munitissimus.* From its position as well as from the special guard set there on this occasion.—*Horum ora vultusque.* All the senators rose up and left the bench on which Catiline seated himself. Comp. below, ch. 7, 16, 17, and 2, 6, 12. The words *ora* and *vultus* are often found in connection. They both denote the countenance as making known the state of the mind—*os* more the natural and habitual state, as indicated by the expression of the mouth and lower part of the face; *vultus* rather the temporary and changing state, as expressed by the motion of the eye and brow.

7. Non sentis. Orelli (*ad Verr.* 4, 9, 19) states very clearly and neatly the difference between *non* and *nonne* in direct questions: "ubi dico *non—est?* certus sententiæ meæ adversarii responsum non curo; ubi interrogo *nonne—est?* opto atque exspecto eum, quem interrogo, mihi assensurum. In illo igitur major vis inest." Hand (*Turs.* iv. p. 309) says, "Is qui per *non* quærit, supponit negationem in alterius, quocum loquitur, sententia, quam alter respondendo, aut pronuntiat, aut rejicit affirmans contrarium.—Utuntur hac dictione *indignabundi*, aut *irascentes*, aut *admirantes*."

8. Constrictam .... teneri. See Z. § 592. The metaphor is taken from chaining a wild beast, to which he compares the conspiracy. Cf. *Phil.* 7, 8, 27; *Sest.* 7, 16.

9. Quid proxima, quid superiore. The "nox superior" here mentioned is the same as that called "*prior*," § 8; viz. the night which followed the day after the nones of November,—the night between Nov. 6 and 7. The conspirators were then assembled in the house of M. Porcius Læca; ch. 4, § 8; *pro Sulla*, 18, 52. The "nox proxima" is of course the night between Nov. 7 and 8. In what way Catiline was engaged on this night we are not informed.—Comp. *Arch.* 5, 11, *proximis censoribus—superioribus—primis.*

10. Quos convocaveris. See Sall. *Cat.* 17. Muretus has collected from ancient authorities the names of forty persons connected with the conspiracy.—*Quid consilii.* See ch. 4, 9; Sall. *Cat.* 27, 28; and *pro Sulla*, 18, 52.

11. Arbitraris. See Z. 166.

13. Vivit? Immo vero. If a *word* only is to be corrected, it is done by putting that word into the form of a question with or without *dicam*, and answering it by *immo*. So *ad Att.* 12, 43: *Ferendus*

Page 9 *tibi in hoc meus error; ferendus? immo vero etiam adjuvandus.* See also Z. § 277 and 823.—*In senatum.* Catiline had been prætor, and therefore possessed the right to a seat in the senate. His motive in appearing there at this time is given in Sall. *Cat.* 31.

14. Notat et designat. As those who are about to offer a sacrifice mark the victims out of the flock. *p. Leg. Man.* 3, 7: *cives Romanos necandos trucidandosque denotavit.*

15. Viri fortes. Ironical.

16. Videmur. Sc. *nobis.* See Z. § 380.—*Istius.* This is the regular pronoun by which the advocate speaks (in the 3d person) of the person *against* whom he is pleading = "the person who stands there before *you* (the judges)," or "whom *you* (the counsel for the opposite party) defend." The notion of *depreciation* does not by any means *belong* to the word; it can at most be *implied,* from the frequency of its use, to denote *another* person whom the speaker is *attacking,* and some one else defending. See *P. C.* 377 and 382; Z. 127 and 701.

17. Ad mortem .... oportebat. This is his proposition, which he enforces by the example of others.—*Jampridem.* See below, 2, 4: *vicesimum jam diem.*—*Jussu consulis.* The consuls were invested, for the time being, with absolute power. See ch. 2, 4; and Sall. *Cat.* 29. Otherwise they had not the power of life and death over a Roman citizen.

18. Oportebat. See Z. § 518.

19. Jamdiu machinaris. The present tense in Latin is often used as a present, including past time; especially with *jamdiu* and *jamdudum* = *have been —ing. P. C.* 413.—*Machinari* = μηχανᾶσθαι. So *machinator,* 3, 3, 6.—*Machinari* and *moliri* are both used of great undertakings. The former expresses more the *secret* and *artful* means, the latter the *strong* effort. Here *machinaris* is used because the conspiracy is looked upon as *secretly* and *cunningly* prosecuted by *artful* means; in 2, 1, 1, *moliri* is used, as the conspiracy was already discovered, and the *powerful* efforts of Catiline were *known.* Schultz.—*An vero.* A formula of the argument *a minore ad majus,* thus stated: whereas P. Scipio, *a private individual,* slew Tib. Gracchus, *much more* ought the *consuls* to have slain Catiline. Here when the sentence is of the form, "*Can* A do this—(but) B *not* do it?" consisting of two questions, the first is often introduced by *an* or (stronger) *an vero.* See Z. § 781; and Krebs' *Guide,* 332, (8). On the interrogative *an,* see *P. C.* 120; Z. 353.

20. P. Scipio. P. Cornelius Scipio Nasīca Serapio, consul with D. Junius Brutus, A. U. C. 616.—*Ti. Gracchum.* Ti. Gracchus, descended from a father who had been twice consul, and Cornelia, daughter of the elder Africanus, when tribune of the commons, promised the rights of citizenship to the whole of Italy. At the same time, moreover, having

promulgated the Agrarian laws, he deprived his colleague Octavius of his office, and constituted himself, his father-in-law Appius, and his brother Caius, a triumvirate for the division of lands and the plantation of colonies. Upon this, P. Scipio Nasica, his cousin-german, from the upper part of the Capitol, summoned all who had at heart the welfare of their country to follow him, and rushed upon the crowd of Gracchus' adherents. Gracchus, as he fled, was struck down by the fragment of a bench, and expired at the very gates of the temple of Fides, A. U. C. 621. Here and below, 2, § 4, Cicero speaks mildly of the offence of the Gracchi, to contrast the conduct for which they suffered with the fearful crime that Catiline meditated. Another passage, in which he speaks of the Gracchi with great moderation (but possibly, says Klotz, to please the people), is in the second book *De Lege Agrar.* 5, 10: "*Venit enim mihi in mentem duos clarissimos, ingeniosissimos, amantissimos plebi Romanæ viros, Ti. et C. Gracchos, plebem in agris publicis constituisse, qui agri a privatis antea possidebantur. Non sum autem ego is Consul, qui, ut plerique, nefas esse arbitrer Gracchos laudare; quorum consiliis, sapientia, legibus multas esse video rei publicæ partes constitutas.*" Quintilian points out the *antithetical* character of this passage: "*Hic et Catilina Graccho, et status rei publicæ orbi terrarum, et mediocris labefactatio cædi et incendiis et vastationi, et privatus consulibus comparatur.*" viii. 4, 14.—*Pontifex maximus.* Cicero appears to have added these words simply to remind his hearers that Scipio was a distinguished and prudent man, who had had that high office. It agrees also very well with the subsequent *privatus*, since the priesthood was not strictly a magistracy, and accordingly the pontifex, unless he at the same time held some magistracy besides, was only a private man. Consult Schmitz, *Hist. Rome*, pp. 330–333.

24. Spurium Mælium, a Roman knight, who, when the Roman people were suffering from famine, A. U. C. 314, distributed corn to them at his own expense. Having thus gained over the commons, he aimed at regal power, and was slain by Servilius Ahala, at the command of Q. Cincinnatus the dictator, A. U. C. 315. Cf. Liv. 4, 13. See Schmitz, *Hist. Rome*, p. 126.—*Novis rebus studentem*, aiming to overturn the government, *νεωτερίζοντα*.

25. Fuit, fuit. Geminatio. Arnold, *Prose Composition*, p. 263. It gives emphasis. So below, *nos, nos.*

27. Coercerent. This is the *vocabulum proprium* to express the executive duty of a magistrate. Cf. *de Legg.* 3, 3, 6; *de Off.* 3, 5, 23.

10

1. Non deest rei publicæ consilium. *Rei publicæ* is usually construed as the dative with *deest.* Benecke, however, regards it as the genitive limiting *consilium*, and referring the whole sentence to the historical events cited, he gives the following as the sense: "There

Page 10 is no lack of decisions of the state, i. e. our state has already, often by individual patriots punished dangerous citizens; also the authority of the senate is not wanting; nothing stands in the way of thy punishment, except that we the consuls make no use of the early precedents, and do not apply the powers conferred on us by the senate." Or if this explanation appears too forced (B. continues), *consilium* may be taken as = *qui rei publicae consulunt.* Cf. *de Legg.* 2, 12, 30.

CH. II.—**3. L. Opimius,** &c. When C. Gracchus and M. Fulvius Flaccus, a man of consular rank, and who had been honored with a triumph, were summoned to appear before the senate, they disobeyed, and occupied the Aventine, posting themselves at the temple of Diana. Twice they sent the younger son of Fulvius to make terms; but the second time Opimius caused him to be seized, and advanced to the attack. The insurgents fled: Fulvius, with his eldest son, was slain; Gracchus prevailed on his slave to dispatch him. The younger son of Fulvius, who had been seized, was allowed to choose the manner of his own death. See Schmitz, *Rome*, p. 338.

4. Ne quid res publica det. caperet. This was the usual formula by which the senate conferred upon the consuls unlimited power in dangerous times. Sall. *Cat.* 29; Liv. 3, 4.

5. Intercessit, viz. between the conferring of this power and the death of Gracchus: on the *same* day therefore. *Medius* also with a noun and *esse* is sometimes used like *intercedere*, and the following clause connected by *et*, especially in the poets. Propert. 3, 14, 1; Ovid, *Fast.* 3, 809.

6. Patre. Ti. Sempronius Gracchus, who had been twice consul (A. U. C. 577 and 591) and censor, and had triumphed for a victory over the Celtiberians.—*Avo.* P. Scipio Africanus Major.

7. Simili senatus consulto. See *p. C. Rabir.* 7, 20.

9. Saturninum. See Schmitz, *Hist. Rome*, p. 349.

10. Plebi. See Z. § 85, *Note* 3.

11. Remorata est. As both *things* and *persons* are said *differri*, Cicero here, instead of saying that their death was put off, speaks of death (whom he here personifies), putting off, *reprieving*, as it were, Saturninus to a more distant day.—*Mors ac rei p. pœna* = *mortis pœna a re p. inflicta.* See Z. 741.—*Vicesimum.* Asconius observes that it was only the eighteenth day; but Ahrens shows that Cicero is correct, according to the Roman way of *reckoning in* the two *broken* days.

12. Hebescere aciem .... auctoritatis. Metaphorically, from the comparison of the decree to a sword.

14. Ex senatus consulto. See Z. § 309, 3d paragraph.

15. Convenit = *consentaneum fuit, oportuit, par fuit.* Cf. cap. 1, 4.

16. Vivis: et vivis. See Z. 717.—*Ad deponendam . . . au-*

daciam. Is the *accusative* of the *gerund* followed by its object-accusative a common construction in Latin? See Z. 666.

17. Cupio ..... me esse clementem; cupio in tantis rei publicæ periculis me non dissolutum videri. The two wishes are opposed: "*I wish to be lenient,*" *and* (on the other hand, or, at the same time) "*I am anxious not to be justly thought guilty of any want of proper firmness;*" or, as Manutius gives the meaning, "*ita me cupio esse clementem ut dissolutus ne sim;*" or "*cupio quidem me esse clementem, sed idem tamen cupio me non dissolutum videri.*" Weiske; who compares Lucceii Ep. ad Fam. 5, 14, extr. *Cupio non obtundere te ..... cupio deterrere.* The introduction of the acc. pronoun (*cupio me esse clementem,* for *esse clemens*) gives more *prominence* to the *circumstance wished,* by disconnecting it from the *cupio.* Cf. *sapientem civem me et esse et numerari volo* (Fam. 1, 9, 18). After what verb of wishing is C. fond of inserting the pronoun? *P. C.* 149, note r. Compare Z. 610.

19. Me ipsum. Others read *me ipse.* On the difference, see Arnold, *P. C.* § 368; Krebs, *Guide,* § 127; Zumpt, *Gr.* § 696.—*Inertiæ nequitiæque.* Compare ch. 11, § 29.

21. In Etruriæ faucibus. At Fæsulæ. Sall. 28. *Mallius in Etruria plebem sollicitare .... præterea latrones cujusque generis .... nonnullos ex Sullanis colonis.*—*Crescit in dies.* On *in dies* and *quotidie,* line 24, see *P. C.* 69, t. With words containing what idea is *in dies* found? See Z. § 315, 2d paragraph, in fin.

23. Atque adeo = *nay more, nay even.* Z. 737.

25. Credo, &c. For the construction of verbs and expressions which denote fear, see Arnold, *P. C.* § 95; and Zumpt, §§ 533–535. Here the irony conveyed by *credo* (Z. 777) makes the sentence equivalent to *non erit verendum mihi,* &c.; and the sense is: "I am convinced that all patriots will regard your death as occurring too late, rather than as too severe and cruel." Benecke cites a very similar passage from Cic. *de lege agra.* 1, 8, 24.

27. Quisquam. Explain its use here. *P. C.* 390, v. Z. 709.—*Dicat* agrees with the nearest subject. Z. 373.

28. Certa de causa. See Z. 308, in fin. This reason is explained in what follows, and more fully, ch. 12, and 2, 2, 3.

29. Interficiam te; i. e. I will order you to be put to death. Z. 713. [So the *Lex Clodia* condemned Cicero, "*quod cives Romanos indicta causa necasset.*"]

30. Tam tui similis. What is the difference between *mei* and *mihi similis? P. C.* 212, w. Z. 411, 3d paragraph.

32. Quamdiu quisquam erit, qui. Explain the use of *quisquam* here. *P. C.* 391, w; Z. 709, b. Cf. Verr. 4, 39, 85: *pœnam capitis constitutam, si injussu senatus quisquam attigisset.*

33. Sed vives. *Sed* is a conjecture of Weiske and Madvig. Klotz

Page 10 and Süpfle defend the common reading *et* = "and indeed" "and moreover."—Below Madvig and Klotz read *oppressus* for *obsessus*.

CH. III.—**39. Voces conjurationis** = *voces conjuratorum.* Cf. *pro Mil.* 94: *Italiæ voces.*—For *cœtus*, Steinmetz and Klotz read *cœptus*.

40. Illustrantur, &c. Observe *illustrari* opp. to *obscurare;* and *erumpere*, to *domus . . . . continet.*

41. Mentem = plan, purpose of remaining in the city to murder, &c.—*Mihi crede.* *P. C.* p. 259, § 111; Z. 801.

43. Recognoscas. Cf. Tusc. 1, 24, 57: *reminiscendo—recognoscere.*

44. Meministine = *Nonne meministi?* See Z. 352.—*Ante diem.* What other form of stating the day of the month was used? Which form is most common in Cicero and Livy? How is the peculiarity of this form to be explained? *P. C.* 530; Z. 868. On the day named, the 21st October, Cicero had informed the senate of the conspiracy, and received full powers to protect the state.—*Dicere.* *P. C.* 426; Z. 589.—Here, and page 11, line 2, Steinmetz and Klotz, on the authority of Priscian and some MSS., read *Kalendarum Novembrium.* Orelli remarks, "Apud Cic. me non memini genitivum legere; et nostri contra stant."

11 **1. Certo die, qui dies.** Z. 743. Peter, *ad Brut. Excursus*, 4, explains this repetition, of the substantive after the relative, by the figure *anaphora*, or on the ground of perspicuity. Ellendt, *de Orat.* 1, 38, 174, derives it from legal usage.

4. Id quod. *P. C.* 36; Z. 371.

5. Ego idem. Z. 127 and 697.

6. Optimatium. Z. 66, (d).—*In ante diem.* How is *ante diem* here to be considered? *P. C.* 530; Z. 869.

8. Sui conservandi. *Conservandorum* would not here be correct. The explanation of the apparent violation of the rule of agreement in regard to this construction is given in Z. 660.

9. Profugerunt. It has been already remarked, that even men of high standing in the state, such as M. Crassus, C. Cæsar, and others, took an interest, if not a part in the conspiracy of Catiline. Of these we may suppose that one and another, perceiving that Catiline proceeded with too little caution in his enterprise, withdrew from the city, not because danger threatened them, though this may have been their pretext for leaving, but because they wished to remove from themselves (*reprimere*), or, in the language of diplomacy, to disavow the plans of Catiline, in which they had previously perhaps been engaged. Klotz. Those "*principes civitatis*" considerately withdrew themselves from the city; not through personal fear, but lest they should be slain along with the consul, and, of course, nobody left to oppose Catiline! M'Kay.—For the position of *causa*, see Z. 792.

12. Discessu ceterorum = *quum ceteri discessissent.* Ellendt (*ad Brut.* 79, 273), on *nescio quomodo discessu meo discessit a sese,* says, "Hoc est aliud genus ablativorum absolutis satis similium, *causam* iudicantium, quæ *tempore prior fuerit.*" Cf. *de Amic.* 3, 10: *amicorum decessu;* where Seyffert agrees with Ellendt, and disapproves of the classification of such ablatives under the *ablative of time.* Z. § 475.—*Nostra .... qui.* *Qui* refers to the personal pronoun implied in *nostra.*

13. Præneste, a town of Latium (now *Palestrina*); being two hundred stadia from Rome, and very strongly fortified, was well suited for insurrectional purposes, as was Capua on the other side, which Catiline also attempted to secure by C. Marcellus.

14. Novembribus. What part of speech are the names of the months? Z. 38.

15. Sensistine = *nonne sensisti?* Z. 352.

17. Nihil agis .... quod ego non modo audiam, sed etiam videam. The meaning *required* is plainly, "*you do nothing which I do not not only hear, but also see*;" but it does not seem possible that this meaning can be expressed by these words, since the *videam* has no negative with it: so that the supposition of a *non modo* for *non modo non* can only explain the *audiam.* Madvig would read *nihil agis quin ego non modo audiam, sed etiam videam* (*Opusc.* I. p. 143). Hand approves of the usual reading (against Orelli and Klotz), *nihil agis, quod ego non modo non audiam, sed etiam non videam;* i. e. "nihil quod non dico me non audire, sed quod ego non videam." Orelli observes that Madvig's conjecture removes all the difficulty; and that, in the same way, in *pro Cæcin.* § 39, the *negative* precedes and affects *both* of two closely united notions: *ne non modo intrare, verum etiam adspicere .... possim.* Klotz (who is followed by Süpfle), *ad Tusc.* 2, 5, 14, disapproves of Madvig's correction, and retains the reading of the MSS. as given in our text, which he renders, "You think nothing which I do *not* hear only, but also see and clearly perceive."

Ch. IV.—**19. Recognosce tandem.** Cicero having mentioned all Catiline's attempts against the state, concludes by speaking of the meeting of the conspirators in the house of M. Læca. Madvig, in his *Opusc. alt.* p. 162, says of Cicero's usage: "Is enim semper in eventu imperatæ actionis significando imperativo futurum sine conjunctione subjicit; inferioris ætatis scriptores *et* interponunt." e. g. *Recognosce et intelliges.* Seneca, *Ep.* 4. § 6. *Recordare .... intelliges.* Cic. *p. Sull.* 2, 5.

21. Dico. Notice the skill which is displayed in this passage. Cicero first states the fact clearly and briefly. He notices the effect on Catiline, and calls upon him to answer. Catiline is silent. The orator then claims his silence as confirmation of his statement, and proceeds with a mere full and emphatic exposition. *Dico* commences

Page

11 the sentence with emphasis as the antithesis of "*num negare audes?*" —*Priore nocte.* See note on p. 9, line 9.

22. Inter falcarios. Into the street, or quarter, inhabited by the scythe-makers. So *inter lignarios*, Liv. 35, 42.—*In .... domum.* Is the preposition necessary? See Z. § 400.

27. Ubinam gentium. See Z. § 434.

30. Gravissimo consilio. *Consilium*, a deliberative assembly, is often used of the senate. Cf. 3, 3, 7: *consilium publicum.* In this passage, the rhetorical exaggeration is well adapted to excite their pride, and at the same time kindle their displeasure.—*De nostro omnium.* See Z. 424 and 431; Krebs, 105. With *omnium* the genitives *nostrum, vestrum* are more common, and always used when *omnium* precedes. Cf. cap. 7, 17: *omnium nostrum parens;* and 4, 2, 4: *ad vestram omnium cædem.*

32. Sententiam rogo. Supply *hos* from the preceding. *Sententiam rogare* was said of the presiding magistrate, who, to ascertain the will of the senate, for the purpose of a *senatus consultum*, asked the opinion of the senators individually. Thus some of the conspirators who are present, would be called upon for their opinion.

33. Trucidari oportebat. See Z. § 518.—*Nondum voce vulnero.* By not mentioning publicly their names, and charging them with their guilt.

34. Fuisti igitur. Having been interrupted by the outbreak of his indignation, he now returns to the plans of the conspirators, as settled at the house of Læca.—*Apud Læcam = in domo Læcæ.*

35. Partes Italiæ. See Sall. *Cat.* 27, 32, and 43.

38. Etiam nunc, in oblique narration, is used to denote the speaker's "*now*," not the narrator's. *Catiline's* words would be "paullulum mihi *etiam nunc* moræ est," &c.

39. Moræ. See Z. § 432.—*Duo equites Romani.* Caius Cornelius and Lucius Vargunteius. Sall. *Cat.* 28. Plutarch and Appian give other names. Sallust calls Vargunteius a senator. Orelli thinks Cicero did not regard him worthy of the title.

41. Interfecturos esse. *P. C.* § 15.

42. Vixdum. See Z. § 733.

43. Comperi. By means of Curius and Fulvia. Sall. 10, c. 28.

44. Exclusi. Cf. Z. § 713.—*Salutatum.* See *Dict. of Gr. and Rom. Antiq.* SPORTULA, for some account of this usage in the earlier days of Rome, and to what it degenerated under the emperors.

12 **1. Multis ac summis.** Z. 756; Krebs, *Guide*, 81.—*Id temporis.* *P. C.* 160 (β); Z. 459.

CH. V.—**4. Quæ quum ita sint.** The plural is used in reference to the many grounds which he has already stated, and from which he now draws his conclusion that Catiline should at once leave the city. Muretus reduces the argument of Cicero to the following syllo-

gistic form: *Si omnia tua consilia nota sunt, exire debes. Sunt autem nota. Ergo: exire debes.* The relations of the several sentences of this chapter, with reference to the figure *asyndeton,* are carefully examined in Nägelsbach's *Lat. Stilistik,* p. 404. See also Z. 742.

5. Patent. Compare 2, 12, 27.

7. Educ. Cf. cap. 9, 23.—*Si minus.* See Z. 343.—*Quam plurimos.* *P. C.* 410; Z. 108.

9. Dummodo ..... murus intersit. Cf. Plut. *vit. Cic.* 16: *ἀναστὰς ὁ Κικέρων προσέταξεν αὐτῷ τῆς πόλεως ἀπαλλάττεσθαι· δεῖν γάρ, αὐτοῦ μὲν λόγοις, ἐκείνου δ' ὅπλοις πολιτευομένου, μέσον εἶναι τὸ τεῖχος.* See 2, 8, 17.

10. Non feram, &c. *Fert* aliquis, quod vires ejus valent, *patitur,* quod animi æquitas concedit, *sinit,* quod per potestatem cohibere possit. Jentzen.

11. Habenda est .... gratia. *Gratiam habere,* and in connection with *agere* sometimes *gratias habere,* is to feel thankful; *gratias* (not *gratiam*) *agere,* to return thanks in words; and *gratiam,* rarely *gratias referre* (unless of several), to show one's self thankful by deeds.—*Atqu huic* = *and especially* to this Jupiter Stator, in whose temple the senate were then met. Cf. Z. 333.

12. Jovi Statori = flight-staying Jupiter. The occasion of the name is given in Livy, 1, 12.

14. Toties. For Catiline had instigated an earlier conspiracy which had accidentally failed. See General Introduction, p. 139.

15. In uno homine, i. e. Catiline. A similar expression is found in *p. Rosc. Am.* 51, 148: *summa res publica in hujus periculo tentatur.*

17. Proximis comitiis. Those which were held between the 21st of October and the 5th of November.

18. In campo, *Martio,* where the *comitia* for the election of magistrates were usually held. Cf. 4, 1, 2.—*Competitores.* D. Junius Silanus and L. Licinius Murena.

20. Amicorum præsidio. Compare *pro Murena,* 26, 52; and *p. Sulla,* 18, 51.—*Nullo tumultu ..... concitato.* See *P. C.* 360; Z. 638.

23. Nunc jam. *Jam nunc* is "*even now*" (i. e. *before* the regular time), or "*now at last.*" "*Now,*" as opposed to a preceding time or to other circumstances, = *in his rebus, quum ita sit, quum huc præcesserint. Nunc jam* has the same meaning of an emphatic *now.*—The train of thought is, that so long as you sought my life only, I protected myself by my individual means. Now, however, that your attacks are directed against the whole state, other means of defence must be resorted to. Two courses are open to me to pursue, the one severe, the other mild; i. e. to put you to death as a traitor, or to drive

Page 12 you from the city. The former is in accordance with precedent, the latter is the dictate of prudence.

25. Denique. See Z. 727.

27. Quod est primum, sc. to have you put to death.

28. Imperii. This is by most commentators referred to the *potestas consularis.* Benecke understands it of the empire or government.—*Proprium.* See Z. 411, 2d paragraph; Krebs, 167.

29. Quod est ad severitatem lenius et ad communem salutem utilius. **Ad severitatem* = *quod attinet ad severitatem, ratione habita severitatis.* Matthiæ observes, that when of two antithetical adjectives one has an *accus.* with *ad,* Cicero often adds another acc. with *ad* to the other, even when it hardly seems necessary to the sense, for the purpose of making the *antithesis* more complete and the two notions more equally balanced. Thus *pro Rosc. Am.* 30, 85: *Natura non tam propensus ad misericordiam quam implacatus ad severitatem videbatur.* So Or. 1, 25, 113: *Animi atque ingenii celeres quidam motus esse debent, qui et ad excogitandum acuti, et ad explicandum ornandumque sint uberes et ad memoriam firmi atque diuturni.* Ib. 2, 49, 200: *Nihil mihi ad existimationem turpius, nihil ad dolorem acerbius accidere posse.*

*Here 'ad severitatem' can be translated 'as regards severity'

32.† **Jamdudum hortor.** See *P. C.* 413.

33. Tuorum comitum .... sentina rei publicæ. Observe the two genitives, dependent in different relations on the same substantive, *sentina.* *P. C.* p. 239, 28; Z. 423 and 791. "*Sentina rei publicæ* est quæ residet in re publica tamquam in navi, ut *sentina urbis,* Att. 1, 19: *sentina comitum tuorum* sunt *ipsi comites,* ex quibus, ut ita dicam, *constat* sentina." M., who quotes Quint. 8, 6, 15, *Cic. recte sentinam rei publicæ dixit, fœditatem hominum significans.* Orelli compares Sall. 37: *Omnes quos flagitium aut facinus domo expulerat, ii Romam sicut in sentinam confluxerant.*

35. Faciebas = *facere volebas,* in reference to cap. 4, 9: *Confirmasti,* &c.

36. Jubet consul hostem. The expression is much stronger than if he had said, *jubet Cicero Catilinam.* The order of the words also may be noticed, by which the *subject* and *object* are brought together at the close of the sentence in marked contrast.

37. Non jubeo. This Cicero could not do; for exile was not properly a punishment for a crime committed; but those who foresaw that they would be condemned in a *judicium publicum,* before their sentence, went into exile to escape it. In crimes of magnitude this voluntary exile was confirmed by the *interdictio aquæ et ignis,* and thus became a real punishment. Cf. *pro Cæc.* 34, 100.

Ch. VI.—**38. Quid est enim.** Cicero now, as though a friendly adviser, gives the reasons for his advice. In Rome Catiline cannot be

† "which I have long been exhorting you to do"

happy, for all hate him, his reputation is lost, he is burdened with debt, and his treasonable designs are known to all. 12

41. Nota domesticæ turpitudinis is different from *privatarum rerum dedecus: res privatæ* may *include*, but is more extensive than *res domesticæ;* the latter relates to moral or immoral domestic life, the former to all *private* actions as opposed to those that belong to a man's *public character;* e. g. to *money* transactions, &c. *Privatarum rerum dedecus* = "dedecus e privatis rebus conceptum." M. Madvig, after Muretus, would read *non inhæret in fama:* but (1) *hærere* with the dat. is found in another passage of Cic. (*Potest hoc homini huic hærere peccatum? Pro Rosc. Com.* 6, 17, *K.*), and (2) it is a strong rhetorical turn, as Matthiæ well remarks, *not to use* the expected *term of indifference* ("vocabulum medium"), i. e. *fama* (which may be *bona* or *mala*), but at once to assume that he had *no fama*, but a notorious *infamia*. Nearly so Klotz. With *nota .... inusta*, cf. *pro Sull.* 31, 88: *Ne qua generi ac nomini suo nota nefariæ turpitudinis inuratur.*—*Inusta.* A metaphor from branding slaves, and especially used to denote what is violent and of long duration.

1. Cui tu adolescentulo, &c. Cf. 2, 4, 8; and Sall. 14: *sed maxime adolescentium familiaritates appetebat,* &c. 13

2. Facem prætulisti. An allusion to the nightly revels and debauches of Catiline. Slaves carried torches before their masters when they visited their haunts.

3. Quid vero. See Z. 769.

4. Novis nuptiis. His marriage with *Aurelia Orestilla*, a woman of most abandoned character; to remove all impediments to which, he is believed ("*pro certo creditur,*" Sall.) to have murdered his own son. Cf. Sall. *Cat.* 15.

5. Hoc scelus; i. e. the murder of his wife.

7. Immanitas .... videatur. Is *videri* commonly used personally or impersonally? See *P. C.* 297; Z. 380.

8. Quas omnes. See *P. C.* 174; Z. 430.

9. Proximis Idibus. The day on which it was usual to pay the interest of borrowed money. Hor. *Epod.* 2, extr. *fenerator Alfius Omnem redegit Idibus pecuniam,* &c. Cf. Cic. *Phil.* 2, 37. Benecke thinks that on the Ides notice was only given to the borrower that the money must be paid on the next Calends.

11. Difficultatem: sc. *nummariam* = pecuniary difficulties. Cf. *in Verr.* 2, 28, 69.

16. Lepido et Tullo consulibus. *M.' Æmilius Lepidus* and *L. Volcatius Tullus* were consuls, A. U. C. 688. The *Consules designati* were *P. Autronius Pætus* and *P. Cornelius Sulla;* but these were found to be disqualified by bribery, and *L. Aurelius Cotta* and *L. Manlius Torquatus* (their accusers) obtained the consulship. Cf. Sall. 18: *Cum Cn. Pisone Catilina et Autronius consilio communi-*

Page 13 *cato parabant in Capitolio Kal. Januariis L. Cottam et L. Torquatum Consules interficere.* See General Introduction, p. 139.—*In comitio.* How do *comitium* and *comitia* differ? See Bojesen's *Roman Antiquities*, § 76.—*Cum telo.* Z. 473; cf. *pro Mil.* 4, 11.

17. Consulum . . . . interficiendorum causa. Is the *genitive* of the *gerund,* followed by its object accusative, used along with the *gerundive?* Z. 659 (b). Is the usual position of *causa* = *for the sake of,* before or after its genitive? Z. 792.

18. Non mentem aliquam, not some intention on your part. "The commonly received rule, that *aliquis* is peculiar to *affirmative* sentences, must be confined within more definite limits; for *aliquis* is found in *negative* sentences also, when any thing is spoken of which either *really exists,* or at least *can be conceived as existing,* as in the present passage, *non mentem aliquam;* for assuredly one might have suspected such an intention on Catiline's part. *Quisquam* and *ullus* altogether deny the whole. Thus *Orat.* 56, 186: *Numerus autem non domo depromebatur, neque habebat aliquam necessitudinem aut cognationem cum oratione;* i. e. as one might have imagined. Cf. *pro Sestio,* 17, 40; 58, 125. *Mil.* 1, 2, *ut ne non timere quidem sine aliquo timore possimus.* But *quisquam* and *ullus* are not negative in themselves, but with a negative particle; and they are always placed *after* that particle." M.

20. Ac jam illa omitto. Hand would read *at* for *ac.* Benecke says *ac, et,* and *atque* stand not unfrequently at the beginning, in the sense of *sed,* but without losing entirely their force as connectives.—*Neque enim sunt,* &c.; i. e. "nam quæ post a te commissa sunt, ea neque obscura sunt, neque pauca; satis aperta sunt multa illa, quæ post commisisti scelera." *Beier.* Steinmetz, Klotz, and Madvig read, *aut non multa commissa postea.*—*Aut* . . . *aut* sometimes follow negatives for *neque* . . . *neque.*

21. Quotiens. On the form of this word, see Z. 122. Why is the pronoun *tu* expressed, and in the next sentence *ego? P. C.* 1, *Obs.;* Z. 379.

22. Quot . . . . tuas petitiones. See Z. 430.—*Petitiones.* A term of the fencing-school. Cic. *Or.* 68, 228: *Ut enim athletas nec multo secus gladiatores videmus nihil nec vitando facere caute nec petendo vehementer, in quo non motus hic habeat palæstram quandam,—sic oratio nec plagam gravem facit, nisi petitio fuit apta, nec,* &c.

24. Ut aiunt, are often added to show the proverbial character of the expression, generally after the first one or two words of the proverb. Here *corpore effugere* signifies, "barely to escape, by the slightest movement or change of position."—[*Nihil agis*], &c. In this sentence the marks of a corrupt text will be observed. The passage ordinarily stands, *Nihil agis, nihil assequeris, nihil moliris, quod mihi*

latere valeat in tempore, neque tamen, &c. In the clause *quod* .... *in tempore,* for one mark of corruption, see Z. 390, in fin. Madvig omits altogether the bracketed words, and reads, *Nihil assequeris; neque tamen,* &c.

26. Extorta, viz. by the precautions taken to thwart your measures; in reference to the preceding *tuas petitiones* .... *effugi.*

27. Excidit casu aliquo. Cf. § 15: *fortunam populi Romani obstitisse.*—*Et elapsa est,* = *et ita elapsa est.*

28. [Tamen .... non potes.] These words are omitted by Matthiæ and Madvig. As above, [*nihil agis*], [*nihil moliris*] may be supposed to have crept in from § 8, so here the bracketed words may seem to have been taken from ch. 9, § 24. Benecke, Klotz, and Süpfle retain and defend them.

29. Initiata sacris, &c. That a dagger or other weapon might execute successfully the purpose it was to be used for, its owner used to devote it, as it were, to that purpose by some solemn rites, accompanied with a vow, that, after the accomplishment of it, he would offer it up to some god. Thus Justin. 9, 7, 13: *Olympias gladium, quo rex percussus est, Apollini sub nomine Myrtales consecravit.* Suet. *Cal.* 24 (extr.), *tres gladios in necem suam præparatos Marti ultori, addito elogio, consecravit.* So Vitell. 10.—*Necesse putas esse.* Benecke remarks that *esse* is very seldom omitted with *necesse.* What are the constructions of *necesse est?* Z. 608 and 625. With *necesse est* in Cicero the *infinitive* and *subjunctive* appear to be equally frequent; with *oportet* the *infinitive* is much the more common.

Ch. VII.—**33. Quæ tibi nulla** = "none of which." *Nullus* for *non.* See Z. 688. It is however more emphatic, meaning "none at all," "not a particle." So "none of my words," not *nullum dictorum meorum,* but *nullum meum dictum;* so *unum verbum tuum,* "one word of yours."—*Venisti* .... *in senatum.* See Sall. *Cat.* 31.

35. Salutavit. It was customary among the Romans, when they saw their friends or eminent men approaching, to rise up and salute them, and courteously address them. For an interesting illustration of this mark of Roman politeness, see *de Repub.* 1, chaps. 9–12. —*Post hominum memoriam,* "within the memory of man."—*Si hoc* .... *contigit nemini.* Observe that *contigit* is not confined to *desirable* occurrences.

36. Vocis .... contumeliam .... judicio taciturnitatis. On this arrangement of contrasted words, see *P. C.* p. 14, § 15, *b,* and p. 242, § 5. What is this figure called?

37. Quid. See Z. § 769.

38. Adventu tuo. Compare *discessu ceterorum,* ch. 3, § 7.—*Ista subsellia.* What is the force of *ista?* How would *hæc* or *illa* vary the sense? So below, *partem istam.* Z. 127.

39. Tibi .... constituti fuerunt. See Z. 419.

Page 13 **42. Servi mehercule mei.** The emphasis and distinctness with which Cicero here exposes the shameless insensibility of Catiline should be noticed. The comparison between his own regard for his *slaves*, and Catiline's indifference to his *fellow-citizens*, is fitted to excite the highest indignation of his audience.—Why do these words precede *si?* Z. 356. And on the arrangement of the whole sentence, see *P. C.* p. 242, § 5.—*Mehercule* is explained in Z. 361, *Note.*

44. Tu tibi. Supply *relinquendam.* Z. 419, *Note*, and 649.

14 **2. Offensum** = *invisum, odiosum.* Cf. *Att.* 2, 19: *omnibus generibus, ordinibus, ætatibus offensum.*

3. Tu, quum, &c. *A fortiori*—should you, deservedly odious to your citizens, shun their sight

5. Dubitas .... vitare. In what signification is *dubito* followed by the infinitive? Z. 541.—*Quorum .... eorum.* Z. 813; *P. C.* 30.

7. Neque ... ulla. See Krebs, 527; Z. 738 and 808.

12. Quæ tecum .... sic agit. To the close of the chapter, Cicero, by personification, introduces his native country as speaking.

13. Tacita loquitur. This figure, involving a contradiction, is called *oxymoron.* So 8, 21: *quum tacent, clamant.*

14. Aliquot annis. *P. C.* 302; Z. 479.—*Per te.* Z. 455, *Note.*

15. Multorum civium neces. Q. Cicero de petit. consul. 2: *Hic* (Catilina) *ne leges quidem* (metuit), *natus in patris egestate, educatus in sororis stupris, corroboratus in cæde civium; cujus primus ad rem publicam aditus in equitibus Romanis occidendis fuit. Nam illis, quos meminimus, Gallis, qui tum Titiniorum ac Nanniorum ac Tanusiorum capita demetebant, Sulla unum Catilinam præfecerat, in quibus ille hominem optimum, Q. Cæcilium, sororis suæ virum, equitem Romanum, nullarum partium, quum semper natura, tum etiam ætate jam quietum, suis manibus occidit. Quid ego nunc dicam, petere eum Consulatum, qui hominem carissimum populo Romano, M. Marium* (Gratidianum) *inspectante populo Romano, vitibus per totam Urbem ceciderit?* &c. Cic. in the *Orat. in tog. cand.* had mentioned, among those who were killed, Qu. Cæcilius, M. Volumnius, L. Tantasius (Tanusius?). M. See Schmitz, *Rome*, p. 365.

16. Vexatio direptioque sociorum; i. e. during his administration of his province of Africa: on his return from which he was impeached for extortion by P. Clodius, afterwards the enemy of Cicero, but acquitted by the unfairness of his judges. Ascon Ped. in *Orat. in tog. cand.* p. 85, Bait.: *Catilina ex prætura Africam provinciam obtinuit. Quam quum graviter vexasset, legati Afri in senatu jam tum absente illo questi sunt .... quum redisset ex Africa Torquato et Cotta coss. accusatus est repetundarum a P. Clodio adolescente* (*qui postea inimicus Ciceroni fuit*):—*ita tamen, ut Clodius infamis fuerit prævaricatus esse. Ibid.* p. 87: "Voc. *quæstiones* ad hanc

ipsam repetundarum causam refertur. Cf. Cic. *Orat. in tog. cand. Stupris se omnibus ac flagitiis contaminavit; cæde nefaria cruentavit; diripuit socios; leges, quæstiones, judicia violavit. Quid ego, ut involaveris provinciam, prædicem? Nam ut te illic gesseris, non audeo dicere, quoniam absolutus es.*"

17. Ad negligendas leges. "*Negligit* leges ac quæstiones, qui earum metu a peccando non continetur; easdem *perfringit*, qui quum in judicium adductus manifesto teneatur, aliqua tamen via elabitur." *Muretus.*—Would *ad negligendum leges* be in accordance with usage? Z. 666.—For *evertendas*, Klotz reads *devincendas*, Madvig *vincendas.*—On *non solum .... verum etiam*, see Z. 724.

20. Me totam esse, &c. See *P. C.* 35. *Totam, patria* personified being the speaker. Notice also the contrast between *me totam* and *unum te.*—*Quidquid increpuerit.* So in *Pis.* 41: *Quidquid increpuisset, pertimescentem.* Sen. *Ep.* 90: *Inter picturas vestras, si quid increpuit, fugitis attoniti.* Liv. 4, 43: *Si quid increpet terroris.* Heum.

CH. VIII.—**28. Quid? Quod, &c.** See Z. 769, 3d paragraph.—*Ipse*, "of your own accord."—*Custodiam*, i. e. *liberam.* Cf. Sall. ch. 47. This was without bonds in the house of a magistrate, senator, or other distinguished man, and allowed only to persons of distinction.

29. Ad M'. Lepidum. Consul A. U. C. 688. Dio Cassius, 37, 32: Τὰ δὲ ἐκ τῶν Τυρσηνῶν ἀγγελλόμενα τήν τε αἰτίαν ἐπιστώσατο καὶ βίας ἐπ' αὐτοῖς γραφὴν τῷ Κατιλίνᾳ παρεσκεύασε. (*Lege Plautia interrogatus est ab L. Paullo.* Sall. ch. 31). Καὶ ὃς τὰ μὲν πρῶτα καὶ πάνυ αὐτὴν ἑτοίμως ὡς καὶ ἀπὸ χρηστοῦ τοῦ συνειδότος ἐδέξατο· πρός τε τὴν δίκην ἡτοιμάζετο καὶ τῷ Κικέρωνι αὐτῷ τηρεῖν ἑαυτὸν, ὅπως δὴ μὴ φύγῃ που, παρεδίδου· μὴ προσδεξαμένου δὲ ἐκείνου τὴν φρουρὰν αὐτοῦ, παρὰ τῷ Μετέλλῳ τῷ στρατηγῷ τὴν δίαιταν ἑκουσίως ἐποιεῖτο, ἵν' ὡς ἥκιστα ὑποπτευθῇ νεωτερίζων τι, μέχρις ἂν καὶ ἐκ τῶν αὐτόθι συνωμοτῶν ἰσχυρόν τι προσλάβῃ.

31. Domi meæ. Would *domi* with other adjectives be allowable? Z. 400.—*Quoque.* What is its position? Z. 355, and see 335.—*Id responsi.* Would this construction be allowable with any other form of the pronoun? Z. 432.—Alii *responsum;* illud contemptius. Schultz.

33. Magno in periculo essem. Compare *esse in metu*, § 18. In such expressions can the preposition be omitted? See Krebs, 213, (1); and Arnold, *Nepos, Dion*, 8, 2.

34. Q. Metellum. *Q. Cæcilius Metellus Celer*, afterwards consul, A. U. C. 694, was poisoned by his wife Clodia, A. U. C. 695.

35. Virum optimum, M. Marcellum, said ironically. Muretus thinks that this M. Marcellus was the father of that C. Marcellus whom Sestius drove out of Capua. He is not to be confounded with the M. Marcellus, mentioned below, § 21, who was consul, A. U. C. 703, and was murdered at Athens by P. Magius Chilo. Muretus quotes Orosius, *Hist.* 6, 6, p. 385, ed. Haverc.: *Motus etiam in Pe-*

Page 14 *lignis ortus a Marcellis patre et filio per L. Vettium proditus, patefacta Catilinæ conjuratione, quasi succisa radice compressus est, et de utroque per Bibulum in Pelignis, per Q. Ciceronem in Bruttiis vindicatum est.* M.

36. Videlicet, is used in an ironical sense. See Z. 345, *Note*, in fin.

41. Si emori, &c. "Hoc Cicero dicit; qui tanto, quanto Catilina, omnibus odio sit, vitam abjicere debere; sin id non sustineat, a patria fugere quam longissime: nec hortatur vere Catilinam, ut moriatur, sed exire ita jubet, ut vel moriendi causam adesse dicat." Madvig (*Opusc.* I. p. 176: he had before approved the reading *si hic morari*). Orelli gives a somewhat different explanation: "Sententia igitur hæc est: 'Conscientia scelerum oppressus, æquo animo mortem nec exspectare, nec tibi ipse consciscere potes: quin igitur abis cet.'"

44. Refer. *Referre* is the *verbum proprium* to express the laying of the subject for debate before the senate. This was done by the consul or other presiding magistrate. *Deferre* denotes the simple mention or announcement of any thing. So *placere* is the usual term to express a decision of the senate.—*Inquis.* See Z. 802.

15 **2. Id quod.** See *P. C.* 36; Z. 371.—*Abhorret a meis moribus,* "is inconsistent with my character." Cf. ch. 2, § 4: *cupio me esse clementem.*

3. Ut intelligas, i. e. by their silence.

4. Egredere .... proficiscere. The orator may be supposed to pause here, that the silent acquiescence of the senate may be more impressive.

6. Ecquid attendis. Z. 351, in fin.

10. P. Sestio; then the quæstor of the consul *C. Antonius. p. Sest.* § 8.—*M. Marcello:* he was consul twelve years afterwards with *Serv. Sulpicius.* Cicero afterwards defended *P. Sestius,* and spoke in favor of Marcellus before Cæsar in the senate.

11. Jam mihi consuli, &c. Even his dignity as consul, and the sacredness of the place, the temple of Jupiter Stator, would not have shielded him.

16. Qui circumstant. Interest in the proceedings had drawn a number around, and such a collection of men was called *corona.*

18. Voces .... exaudire potuisti, i. e. as they showed their approval of what the orator uttered, and their abhorrence of Catiline.

19. Tela contineo. Even those who have been specially armed for the protection of the city against your designs, will form a safe escort for you if you will leave it.

20. Hæc, δεικτικῶς, i. e. the temples and other buildings of the city.

21. Prosequantur. *Prosequi* expresses the act of accompanying, out of respect or sympathy, one who is leaving the city for a foreign province or to go into exile.

CH. IX.—**22. Quamquam.** In what peculiar way is it used here? Z. 341, *Note.*—*Te ut,* &c. Why does the pronoun, in this and the following sentences, precede the conjunction? *P. C.* p. 254, § 86.; Z. 356. What feeling do such interrogations express, and how is the construction to be explained? Z. 609.

24. Utinam .... duint. How is the wish conceived when the present or perfect tense is used? *P. C.* 496; Z. 571. On the form *duint,* see Z. 162.

26. Animum induxeris. For the construction of the phrase *animum induco* or *in animum induco,* see Z. 614. Of these two forms, Madvig asserts that Cicero uses only the former, except *p. Sull.* 30, 83; and that Livy uses only the latter.

28. Recenti memoria. Abl. of cause = on account of.—*At.* See Z. 349, 756.—*In posteritatem,* i. e. in posterum tempus.

29. Sed est tanti = res est satis gravis: operæ pretium est. Cf. 2, 7, 15. So *Fam.* 8, 14: *Tanti non fuit Arsacen capere, Seleuceam expugnare, ut earum rerum, quæ hic gestæ sunt, spectaculo carerem.* See Z. 444, *Note.*

30. Sed tu, &c. Refer the three following clauses each to its appropriate source, which Cic. subjoins; sc. "pudor—metus—ratio."

31. Temporibus. *Tempora* in the plural (rarely in the singular) signifies the circumstances of the times, especially the difficulties and necessities of the times.

32. Is es .... ut te. What is a more common construction instead of the conjunction and pronoun? *P. C.* 483; Z. 556. *Te* is here emphatic.

33. Pudor a turpitudine. Klotz and Madvig (from Quintilian, 9, 3, 62) read *pudor unquam,* &c.

36. Recta. What is to be supplied with this word? Z. 270.

37. Sermones hominum, i. e. *their censure,* as in "*to be the talk of the town,*" &c. Verr. 4, 7, 13: *Nunquam—commisisset, ut propter eum in sermonem hominum atque in tantam vituperationem veniret. Pro Cæl.* 16, 38: *Sermones iniquorum effugere non potuit.* —*Si id feceris,* i. e. *si in exsilium perrexeris. Facere,* like the English verb *to do,* is frequently used as the representative of a preceding verb. See Arnold's *Nepos, Chabr.* 3, 4, p. 191.

38. Jussu. See Z. 454.—*Sin autem.* Z. 342, *Note;* and 348, *Note.*

41. Secerne te a bonis. Is the preposition necessary? Z. 468. —*Exsulta impio latrocinio.* Z. 452. *Latrocinium* is properly highway robbery and murder. No more dignified or honorable, Cicero means, is Catiline's course.—*Impio.* It is *impious,* i. e. unfilial, undutiful, as being against his country, *communis omnium parens.*

42. Ut a me non ejectus. Does the *non* with *ut* express an effect without an intention, or belong to *ejectus?* How is a negative

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15 intention expressed, and how a simple result? Z. 532. What is the position of *non* when it belongs to a single word of the proposition? Z. 799. Compare page 16, lines 40 and 41. What is the common construction of *videri?*

43. Quid ego te invitem. What is implied in such questions? Z. 530.—In this line, for *isse videaris* Klotz and Madvig read *esse videaris.*

44. Ad Forum Aurelium. A little town in Etruria, between the rivers Armenta (*Fiora*) and Marta, not far from the sea; now called *Monte Alto.* It was named probably from some *Aurelius,* who paved the *via Aurelia* from Rome to Pisa. What is denoted by *ad* when joined with names of towns? Z. 398, *Note.*

16 **1. Præstolarentur.** Z. 413. The *præstolans* waits for a person in order to perform services for him, and stands in subordinate relation to the person waited for. Döderlein.

2. Diem. On the gender of this word, see Z. 86, *Note.—Aquilam illam argenteam,* &c. The allusion is supposed to be to *the Eagle,* which Sallust mentions, in speaking of the engagement: *Ipse cum libertis et colonis propter aquilam adsistit, quam bello Cimbrico C. Marius in exercitu habuisse dicebatur.* Ch. 59. On military standards among the Romans, see *Dict. of Gr. and Rom. Antiq.*, SIGNA MILITARIA. An ensign which, like this, had been so long borne by the victorious armies of Marius, was regarded with unusual reverence, as promising certain victory. Cicero adds *scelerum* to limit *sacrarium,* the place where it was kept, because there Catiline preserved the instruments of his crimes, and his character was such that there was nothing religious in his ceremonies, but all was wicked and criminal. It is explained in the last clause.

4. Sacrarium. "*Nam erat etiam quum signorum militarium omnium, tum* aquilæ *quædam* religio, *et in* sacello *illa reponebantur.*" M.

CH. X.—**10. Neque enim.** Z. 808.

11. Hæc res, i. e. *bellum contra patriam.* Manut. Benecke refers it to his departure from Rome.

13. Nunquam . . . non modo . . . sed ne . . . quidem. Z. 724, *b,* and 754, *Note.—Otium* = peace is often contrasted with *bellum.* Compare below *otiosorum.*

15. Atque is here explicative, *perditis* being explained by what follows.

16. Derelictis. *De* strengthens the simple. Z. 327.

17. Perfruere, &c. A climax is here to be noticed.

20. Meditati sunt. Here used passively, as the participle frequently is. Z. 632, and compare § 147.—*Qui feruntur* = *qui sermonibus celebrantur, commemorantur. Pro Sull.* 23, 66: *Ejus voces, ejus minæ ferebantur.* M.—*Labores tui.* Cf. *pro Cæl.* § 12.

21. Ad obsideudum stuprum = "*ad tempus stupro opportunum observandum.*" So Verr. 1, 2, extr. *tempus obsidere.* M. The infinitive clauses, *jacere humi*, &c., and *vigilare*, &c., are to be taken as in apposition with *labores.*

23. Otiosorum. "The peaceably disposed." So the MSS.; the common text is *occisorum. Otiosus* h. l. dicitur qui in pace atque otio securus tranquillusque vivit, nihil mali exspectat. Steinmetz; who compares 2, *Catil.* 4, and Sall. 16. Süpfle, against Orelli, Klotz, and Madvig, retains *occisorum;* and remarks, that Cicero's design to exhibit the turpitude of Catiline in a gradation, seems to require *bonis occisorum* in antithesis to *somno maritorum.*

24. Illam tuam præclaram, &c. Sall. *Cat.* 5: *Corpus patiens inediæ, vigiliæ, algoris, supra quam cuiquam credibile est.*

27. Quum te a consulatu reppuli; i. e. "*at the last election.*" Cf. Sall. ch. 26: *Postquam dies comitiorum venit, et Catilinæ neque petitio neque insidiæ, quas Consuli* (i. e. Ciceroni) *in Campo fecerat, prospere cessere, constituit bellum facere, et extrema omnia experiri. Pro Murena,* 24–26.—*Exsul .... consul.* Z. 822.

Ch. XI.—**32. Detester ac deprecer.** These words signify to seek to turn *from* or avert by adjuration and entreaty.

34. Patria .... loquatur. Compare ch. 7, 18. Madvig reads *sic loquatur.*

36. Quid agis. *Formula reprehendendi.*

39. Evocatorem servorum; whose aid however he afterwards rejected (Sall. 56, in fin.), although Lentulus urged its acceptance. *Cat.* 3, 5, 12; Sall. 44.

41. Emissus .... immissus. *Paronomasia.* Z. 822.

42. Hunc .... duci .... imperabis. How is *imperare* more frequently construed? Z. 617, in fin.

44. Quid .... impedit. Cicero, arguing disjunctively, shows that neither precedent, nor laws, nor the dread of future obloquy, forbade the punishment of Catiline.—*At persæpe .... privati.* On this use of *at*, see Z. 349. Cic. 1, 1, instanced Scipio Nasica. Benecke considers the *plural* and *persæpe* as rhetorical exaggeration. The *first* ground of excuse was "*Mos majorum.*" His country answers, "*At persæpe,*" &c.

2. An leges, &c. The Valerian and Porcian laws. P. Valerius Publicola, when consul, A. U. C. 245, brought in a bill (the first that was ever brought before the *comitia centuriata*), which enacted, that no magistrate should put to death or flog any Roman citizen if he had appealed to the people. Afterwards, A. U. C. 305, L. Valerius Potitus and M. Horatius Barbatus enacted, that no magistracy should be created with an exemption from appeal. Lastly, in A. U. C. 454, M. Valerius Corvus brought in another law on the subject of appeal, the third after the expulsion of the kings, and always by the same family.

Page 17 The Porcian laws, which emanated from three of the Porcii, exempted from stripes the person of all Roman citizens, imposing a heavy penalty on any one who should scourge or kill a Roman citizen.

3. At nunquam, &c. This is the answer to the *second* ground of excuse. Compare *p. Sest.* 67, 140.

5. Præclaram vero. Irony, which *vero* strengthens. Cf. Z. 266, *Note*, and 716. This is the answer to the *third* ground of excuse.

6. Hominem per te cognitum, i. e. *per te, non per majores,* &c. Or, as Cic. immediately adds: *Nulla commendatione majorum.* Brut. 25, 96: *Q. Pompeius non contemtus orator temporibus illis fuit, qui summos honores homo per se cognitus sine ulla commendatione majorum est adeptus.* M. See *Dict. of Antiq.*, Novi hominès.

7. Mature, i. e. as soon as the laws allowed him to become a candidate; with no repulse.

8. Omnes honorum gradus. Cicero had been chosen to fill in succession all the high offices of the state: the quæstorship, the ædileship, the prætorship, and the consulship. Such success as he here alludes to was without precedent in the history of Rome.

13. Invidiæ .... conflagraturum. Cf. *p. Mil.* 27, 75.—In the preceding sentence, Klotz and Madvig read *non est vehementius* without the interrogation.

Ch. XII.—**16. Respondebo.** Cicero's reply is, that he would have put Catiline to death, even at the cost of his own life (though others for such deeds had won praise), if he had judged it to be for the interest of the state. But he regards it best for the state that Catiline should be allowed to leave the city and draw after him his followers and adherents.

17. Si .... judicarem .... non dedissem. When the *imperfect* subj. is used where *we* should use the *pluperfect*, it denotes, not an action that is *terminated* before that denoted by the verb in the other clause, but conceived as *going on* simultaneously with it. Compare in the next Oration, § 3, *si .... judicarem, &c. .... jampridem .... sustulissem:* here it is implied, *at non sustuli quia non judicabam,* &c. (not *non judicavi*). Cic. implies that it *was not then, and still is not his opinion.* So Tusc. 1, 12, 27: *Quas cæremonias .... nec coluissent nec sanxissent, nisi hæreret in eorum mentibus,* &c. M.

18. Gladiatori. Contemptuously.

23. Parricida civium. Ernesti compares *parricida liberum,* Liv. 3, 50; sc. *pro Sull.* 2, 6: *obstrictum esse patriæ parricidio;* cf. Sall. *Cat.* 31: *Omnes hostem atque parricidam vocare* Catilinam. Matthiæ.

28. Qui .... aluerunt, &c. = *men who nourished,* &c. It is not to be joined with the preceding *sunt qui,* as the subjunctives *videant,* &c. are, but = *hi aluerunt.* M.

32. In hunc animadvertissem. It means "to punish with an

authoritative and steady hand," and in this sense the preposition is necessary.—*Regie* = tyrannically.

37. Reprimi .... comprimi. Z. 822.

38. Ejecerit. The city where their plans have been discovered is the wreck of their hopes, and they must leave it or sink in ruin. The camp of Mallius is the friendly coast to which Catiline must flee with those who are wrecked with him in the discovery of the conspiracy. Benecke; who does not understand by *naufragos, patrimonio naufragos*, but those whose hopes have been disappointed.

39. Naufragos. Cf. *Cat.* 2, 11, 24; and *pro Sull.* 14, 41, *patrimonio naufragus.*

CH. XIII.—**43. Jamdiu.** The whole three years from the consulate of Lepidus and Tullus.

44. Nescio quo pacto. Beier (*Cic. Off.* 1, 41, 146) rightly informs us that this phrase, like *nescio quomodo*, is often used with reference to things which one *would wish had not been done.* What mood should follow? Z. 553.

3. Ex tanto latrocinio = *ex tanto numero latronum.*

5. Residebit. The metaphor is taken from a subtle poison in the system. The state is the body, the conspiracy the fever, and the execution of Catiline the draught of cool water which refreshes for a moment.—*In venis atque in visceribus.* Does *atque* introduce a *stronger, weaker*, or *equal* term? *P. C.* 4, d; Z. 333. Observe the repetition of the preposition *in.* The repetition of the preposition keeps the terms *distinct;* its omission before the second term *combines them* as being little more than one *complex notion.* But *in practice* the preposition is often found repeated, even where the notions are cognate. Zumpt (ad Div. in Cæcil. 13) says: "*vetus illa* [*regula*] *repeti præpositionem ubi diversitas verborum sit, falsa est, si hoc debet consequi, non repeti, ubi nulla appareat diversitas.*" The preposition is always repeated with *et .... et* (but sometimes *cum* precedes both the *et's; cum et nocturno et diurno metu*); *nec .... nec;* generally with *aut .... aut; vel ... vel;* after *nisi;* and after *quam* following a comparative: e. g. *et in bello et in pace; in nulla alia re nisi in virtute; in nulla re melius quam in virtute.* See Z. 745.

6. Ægri morbo gravi. Z. 452.—On the structure of this period, see Z. 816.

7. Biberint. Madvig, from conjecture, reads *biberunt.*

12. Id quod. See *P. C.* 36*.

14. Prætoris urbani. L. Valerius Flaccus, whose tribunal they hemmed around, that they might intimidate him when delivering judgment in cases of debt.

15. Malleolos. The term *malleolus* denoted a hammer, the transverse head of which was formed for holding pitch and tow; which, having been set on fire, was projected slowly, so that it might not be

Page 18 extinguished during its flight, upon houses and other buildings, in order to set them on fire. *Dict. Antiq.* MALLEUS.

17. Polliceor vobis hoc. On this use of *hoc*, see Z. 748.—What tense of the infinitive follows *polliceor?* *P. C.* 15.

22. Hisce ominibus .... cum summa .... salute. On this ablative, see Z. 472; and, for the use of *cum* to denote an accompanying circumstance as a result or consequence of the action, see Z. as above, and the similar passage there cited from *in Verr.* 1, 24.

23. Et .... ac .... que. How do these particles differ? *P. C.* 4, d; Z. 333.

25. Tum tu, Jupiter, &c. *What is here said* of *Jupiter* is strictly true only of the *Temple* of *Jupiter.* Cf. Liv 1, 12, where Romulus vowed the Temple: *Romulus et ipse turba fugientium actus, arma ad cœlum tollens, Juppiter, tuis, inquit, jussus avibus hic in Palatio prima urbi fundamenta jeci:—deme terrorem Romanis; fugam fœdam siste; hic ego tibi templum, Statori Jovi, quod monumentum sit posteris tua præsenti ope servatam urbem esse, voveo.* So M.

27. Statorem. Compare note on p. 12, line 12. It may here be taken as = conservatorem et eum per quem in æternum stabit Roma. Cf. Sen. *de Benef.* 4, 7

SECOND ORATION AGAINST CATILINE.

ANALYSIS.

1. In the introduction Cicero congratulates the Roman people, that Catiline has left the city, and consequently can do it no more injury.
2. He vindicates himself from a double charge: for the well-disposed citizens complained that he had suffered Catiline to escape unpunished, while on the other hand the friends of Catiline maintained that he had been too severely dealt with by the consul. To the first complaint he replies by setting forth the grounds of his course of action, viz. the conspiracy had not yet been fully discovered; moreover, the execution of Catiline would have rendered him odious and have prevented the punishment of the other conspirators; and finally, the absent enemy with his army is less to be feared than his adherents who have remained in Rome. The second reproach he meets by explaining the action which the senate had taken in regard to the conspiracy, and by showing from several circumstances that Catiline had previously determined to go, not to Marseilles, but to his army in Etruria. (§ 3—ch. 8, § 17.) In thus defending himself against the censure of the disaffected, he gives
3. A classification of the conspirators and of the Romans who favored the treasonable designs, and divides them into six classes, from whom, however, he considers the state has not much to fear, particularly since the best measures have been taken for its security and weal. (§ 17—ch. 12, § 26.) Finally,
4. After an apostrophe to the conspirators who had remained in the city, in which he warns them to leave Rome without delay, or at least to keep themselves quiet, since the disturbance of the public security will be most severely punished, he closes with an address to the well-disposed citizens, in which he assures them, that, without resort to arms on their part, the civil war will be ended, and, at the same time, calls upon them to supplicate the gods for the preservation of the state. (§ 26–end.)

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Ch. I.—1. Tandem aliquando = *at last, at length.* These words express great joy at the accomplishment, after long delay, of a desired or expected object. *Tandem* is often strengthened by *aliquando;* and *aliquando* alone, in exhortations and wishes, and sometimes in narrative, is used with this meaning. The correspondence to the opening of the first oration, *quousque tandem*, may be noticed.—*Quirites* = citizens. The origin of this word has given rise to much discussion. It was, however, the political name by which the Roman people were at home collectively designated and addressed as free citizens of the state.

2. Scelus anhelantem. Z. 383. *Anhelo* describes the violence of his rage, and eagerness to execute the crime upon which he was bent. *Scelus* is here used in its proper sense; it is the strongest of the general terms that denote evil deeds, and expresses an offence against

Page 19 the rights of individuals, or the peace of society, by robbery, murder, and particularly by sedition. Död. Cf. *Auct. Rhet. ad Herenn.* 4, 55, 68: *At iste spumans ex ore scelus, anhelans ex intimo pectore crudelitatem.*—*Pestem .... molientem.* See note on line 19 of page 9.

3. Vobis atque huic urbi ferro flammaque minitantem. Klotz reads (with Matthiæ) *ferrum flammamque.* In other passages, he remarks, Cic. uses *ferro ignique* (or *igni ferroque*) *minitari,* e. g. *Phil.* 11, 14, 37: *Huic urbi ferro ignique minitantur;* in *Phil.* 13, 21, 47: *patriæ igni ferroque* [Nobbe *ignem ferrumque*] *minitatur;* but then *igni ferroque* denote only the *instruments* with which they threaten their country, &c. The *acc.* denotes *what* they threaten to inflict upon it: the *sword* (= death by the sword) and *fire* (= destruction by flames). So *Tusc.* 1, 43, 102: *cui quum Lysimachus rex crucem minaretur* = "*death on the cross,*" "*crucifixion.*" *Concinnity* of style here requires the *accusative,* that it may *range,* as it were, with *scelus anhelantem.* Klotz.

4. Vel ejecimus vel emisimus. *Ejicimur* nolentes, *emittimur* volentes; sed utrumque ab alio: *egredimur* autem ipsi per nos. Muretus. On the use of *vel .... vel,* see *P. C.* 456, note a; Z. §§ 336, 339. Cf. *pro Sulla,* 5, 17: *ejecto sive emisso ... Catilina.*—*Ipsum egredientem: ipsum* = *sponte* (*of himself; of his own accord*). *Tusc.* 5, 21, 62: *jam ipsæ defluebant coronæ. Offic.* 1, 22: *delapsa arma ipsa ceciderunt.* M.

5. Verbis prosecuti sumus = *malis ominibus.* Cf. the end of the preceding oration: *Hisce ominibus ... cum tua peste ac pernicie .... proficiscere,* &c.—*Abiit, excessit, evasit, erupit.* "Certe quid inter *abire* et *excedere* intersit, haud facile dixeris: *evadere* autem et *erumpere* quum utrumque significet e loco parum tuto effugere, ita differunt, ut *evadere* sit dolo aliquo vel arte et clam se subtrahere; *erumpere* autem vi exitum sibi patefacere. Coacervatio autem verborum idem significantium signum est animi lætitia exsultantis, et dubitantis, quo verbo aptissime sensa sua exprimat." M. Cf. Quintilian, 9, 3, 46. See Z. 742.

6. Nulla jam. See Z. 286; and compare *non enim jam,* line 9. —*A monstro illo atque prodigio.* The primary notion in *monstrum* is, that it is unnatural and ugly; in *prodigium,* that the appearance is replete with meaning and pregnant with consequences. Död.

8. Sine controversia = *sine dubio.*

10. Non in campo, &c. Supply *Martio.* The several occasions here referred to, have been noticed in the first oration, chaps. 5, 11; 6, 15; 4, 9.

11. Pertimescemus, is here used intransitively = *timorem habebimus,* "*shall not fear or be afraid.*"

12. Ex urbe depulsus. The more common form would be *expulsus;* but Matthiæ remarks that he chose rather to say *depulsus,*

because Catiline was *driven from his position* or *vantage-ground;* as *de loco* or *gradu moveri, depelli, dejici,* are properly used of soldiers and gladiators.—*Nullo impediente.* In what cases is *nemo* defective? *P. C.* p. 326*; Z. 88 and 676.

13. Bellum justum = regular, formal, open war.

14. Hominem, contemptuously, as *opprimet hominem* in ch. 12, 26.—*Occultis,* which seems pleonastic with *insidiis,* stands for the sake of the contrast with *apertum latrocinium.*

15. Quod vero. *Quod,* with verbs of the *emotions,* introduces the clause which contains the *ground* or *cause* of the feeling. See *P. C.* 517; Z. 629. In this sentence the emphatic position of *non cruentum* should be noticed, and also the position of *vivis .... incolumes .... stantem,* which, as containing the whole force of the expression, come before their substantives. See *P. C.* p. 238, 25; Z. 793.

17. E manibus extorsimus. The common text is *de manibus.* So in 1 *Cat.* 6, 16: *extorta est .... de manibus. De* is here explained by Krüger as = away. Ellendt on *de Orat.* 1, 52, 225, considers *ensem ex manu* as the proper, *de manu* as the metaphorical expression, so that the latter = *adimere utendi potestatem.*

19. Quanto, &c. .... putatis? This sort of question may often be conveniently translated by *imagine* with *must.* "*Imagine with how great sorrow he must have been stricken,*" &c.

21. Retorquet oculos. As the wild beast that wistfully eyes the prey which has been snatched *from its jaws.*

23. Evomuerit. A metaphor taken from the sick, who are often so relieved. This figurative use of *evomo* is common, nor did the ancients feel that it offended against good taste.

Ch. II.—**25. Si quis.** How does *si quis* differ from *si aliquis? P. C.* 391; Z. 708. Madvig reads, *Ac si quis.*—*Quales esse omnes oportebat.* All as true patriots should have judged that Catiline deserved death.

26. In hoc ipso, in quo exsultat .... accuset. *In* = in respect to, is especially used with certain verbs, such as *lætari, gloriari, exsultare,* and the verbs of praising, blaming, and accusing, to express the point, to which the general notion contained in the verb applies.

27. Accuset. Why subj.? *P. C.* 483, (2); Z. 556.

29. Sed temporum. Would *ea* referring to *causa* be correctly expressed after *sed? P. C.* p. 30, caution XI.; Z. 767.

1. A me. What is the construction of *postulo?* Z. 393.

3. Quæ ego deferrem. Consult note on p. 14, line 44. He refers to the information derived through Fulvia and communicated by him to the senate. The emphasis which belongs to *ego* should be noticed.

4. Non putarent = did not duly estimate. The bracketed clauses have been regarded as spurious, because the former in one of the MSS.

Page 20 is not found, and in others is placed after *Quam multos, qui etiam defenderent.* Klotz and Madvig give them in this order, and Klotz omits the [ ].

6. Ac si, like *quod si,* connects sentences which are mutually related to each other, and = *in hac rerum consecutione si.* Cf. Z. 333 and 807.—*Sublato.* To what verb do the forms *sustuli* and *sublatum* belong? Z. 213, *Note.*—*Depelli a vobis.* Is the preposition necessary? Z. 468.

7. Si judicarem . . . . sustulissem. Cf. *Orat.* 1, p. 17, line 17.

8. Invidiæ meæ. The possessive pronoun here takes the place of the objective genitive. Z. 424.—*Periculo.* Z. 472, *Note.*

9. Re etiam tum probata. *Res* = the fact of the conspiracy.

10. Fore ut . . . . non possem. When is the circumlocution by means of *futurum esse* or *fore ut* necessary to express the infinitive of future time? Z. 594.

15. Parum comitatus. Z. 632, and on *parum,* 731. Sallust says, *cum paucis;* and Plutarch gives the number 300.

17. Tongilium. *Tongilius, Publicius, Munatius* (Qy. *Munatius Plancus?*), are unknown personages. Some have thought that the orator *purposely* mentions such names; but it is enough to suppose that they *were* persons of no note, and that Cicero points this out by avoiding all circumstantial or full description of them. Orelli quotes Q. Cic. de pet. Cons. 3, 10: Catilina, *qui ex curia Curios et Annios, ab atriis Sapalas et Carvilios, ex equestri ordine Pompilios et Vettios sibi amicissimos comparavit.*—*Mihi.* What is this dative called? *P. C.* 240; Z. 408. It often gives an ironical coloring. Compare note on p. 22, line 5.—*In prætexta.* Supply *toga.* This was the dress worn by a Roman youth until he assumed the *toga virilis.*

18. [Calumnia]. This word is here found in most MSS. It appears to have been a marginal gloss, which afterwards crept into the text. Some editors have proposed conjectural readings for the purpose of giving it significance, but recent editions omit it altogether.

19. Contractum in popina = i. e. *sumtibus in popina factis.* Several MSS. read *in popinam,* which some editors receive as expressing the object for which the indebtedness was contracted.

20. Ære alieno. On the order of the words, see Z. 800. This class, so deeply involved in debt, were more to be feared, as they had nothing to lose and every thing to hope for from the overthrow of the government.

Ch. III.—**22. Et Gallicanis legionibus . . . . contemno.** The abl. here denotes the *cause* of his setting it at naught or despising it. A nearly similar construction occurs, Or. 13, 41: *Isocrates videtur testimonio Platonis aliorum judicia debere contemnere.* See Z. 454. Some editions, from a conjecture of Lambinus, read *præ Gallicanis.* The MSS. give *ex,* for which *et,* the emendation of Muretus, has been

generally received.—*Gallicanæ legiones* are, "*Roman* legions serving in Gaul:" *Gallicæ legiones* would be "legions consisting of Gauls." See Z. 258.

23. In agro Piceno et Gallico. These countries were situated on the Adriatic, and separated from each other by the river Æsis. The latter derived its name from the Galli Senones who occupied it in early times.

24. Q. Metellus *Celer*, the prætor, was dispatched by the senate into the Picenian territory, to raise an army proportioned to the emergency and danger. *Agrum Camertem, Picenum, Gallicum maxime quasi morbus quidam illius furoris pervaserat. Pro Sulla*, 19, 53. Cf. Sall. *Cat.* 30.

25. Magno opere. So more correctly written for *magnopere.*—*Ex senibus desperatis.* The veterans who had served under Sulla are meant. Cf. ch. 9, 20; and Sall. 16.—*Ex agresti luxuria = ex agrestibus luxuriosis*, the abstract for the concrete.

26. Decoctoribus. *Decoquere* and *decoctor* are not used of *every bankrupt*, but of one who arranges matters with his creditors by an *assignment* of his goods (*cessio bonorum*); without a public compulsory *venditio bonorum;* the *decoctor* did not lose his civil rights. K.—*Vadimonia.* When the prætor had granted an action, the plaintiff required the defendant to give security for his appearance before the prætor on a day named. The defendant, on finding a surety, was said *vadimonium promittere* or *facere.* If the defendant appeared on the day appointed, he was said *vadimonium sistere;* if he did not appear, he was said *vadimonium deseruisse*, and the prætor gave to the plaintiff the *bonorum possessio.* See *Dict. Antiq.*, Actio.

28. Edictum prætoris. In which the prætor's judgment against debtors is announced.

29. Quos video volitare. Verbs which denote *to see* and *hear* can take the infinitive or a participle. Z. 636. Cic. prefers the infinitive, unless a picture is to be presented, later writers, as Tacitus, the participle.—*Volitare.* With this word is associated the notion of impudence and presumption—insolent assurance.

31. Nitent unguentis. Pomatums and perfumes were then the fashion with such characters. Cf. ch. 10: *pexo capillo, nitidi.*—*Fulgent purpura.* The senators and equites who had joined the conspiracy are here meant. The dress of the former was distinguished by a broad, of the latter by a narrow stripe of purple in front of the breast. See Dict. Antiq., Clavus Latus.

32. Suos milites = as his soldiers.

34. Qui exercitum deseruerunt. *Pro Muren.* 37, 79: *Quæris a me, quid ego Catilinam metuam. Nihil; et curavi, ne quis metueret; sed copias illius, quas hic video, dico esse metuendas; nec tam timendus est nunc exercitus L. Catilinæ, quam isti, qui illum exer-*

Page
20 *citum deseruisse dicuntur; non enim deseruerunt, sed ab illo in speculis atque insidiis relicti in capite atque in cervicibus nostris restiterunt.*

36. Apulia. Sall. ch. 27: *C. Mallium Fæsulas atque in eam partem Etruriæ, Septimium quendam Camertem in agrum Picenum, Caium Julium in Apuliam dimisit.—Quis habeat.* See Z. 134, *Note.*

38. Cædis atque incendiorum: *Cædis,* i. e. *Cethegus* and others; *incendiorum, Gabinius* and *Statilius* See Sall. 43. Cicero distributes these parts somewhat differently. See 3 *Cat.* 6, 14; and 4 *Cat.* 6, 13.

39. Superioris noctis. The same night that is called in the first oration, *superior* in § 1, *prior* in § 8. O.—*Perlata esse,* i. e. by *Curius* and *Fulvia.* Madvig reads, *delata.*

41. Næ illi. With what is *næ* in the best writers usually joined? Z. 360, *Note.*

CH. IV.—**43. Vos omnes.** Would *vestrum omnes* be admissible? Z. 430.

21 **1. Nisi vero.** What mood follows these words, and in what sense are they used? See Z. 526.—*Si quis.* As *quod* and *quia* follow *nisi* when it has the sense of the adverb "except" (Z. 735); so *nisi,* in the same sense, is frequently followed by *si* and especially by *si quis.* In Cicero this is rare in his orations, but more frequent in his letters and dialogues. Madvig here however rejects the *si.*—*Catilinæ.* What case is this word here? *P. C.* 212, w; Z. 411.

2. Sentire non putet. With verbs of *thinking, seeming,* &c., the "*not*" is prefixed to the verb rather than to the infinitive. See Arnold's *Nepos, Paus.* 3, 6. Thus *non puto, non arbitror,* as forming *one* notion, may be compared with the compound *nego,* which we often in translating resolve into *dicere non.* See *P. C.* p. 202, 2; Z. 799. Cf. *de Off.* 1, 13, 39: *captivos reddendos in senatu non censuit; pro Leg. Man.* 23, 67: *ad unum deferenda omnia esse non arbitrantur.*

4. Desiderio sui. Z. 424.

5. Aurelia via; which led through Etruria. *Philipp.* 12, 9: *Tres viæ sunt ad Mutinam, a supero mari Flaminia, ab infero Aurelia, media Cassia.*

6. Si . . . . volent . . . . consequentur. See Z. 509.—*Ad vesperam.* In Cicero, with the exception of this passage, where *ad vesperam* is the reading of all the MSS., *ad vesperum* has been restored from the MSS. Cicero and Cæsar appear to have preferred the second declension in the accusative, the third in the ablative. Z. 98.

7. Si quidem. Z. 346.—*Sentinam . . . ejecerit.* Compare 1 *Cat.* 5, 12: *exhaurietur . . . . tuorum comitum . . . . sentina rei publicæ.*

8. Catilina exhausto. With reference to the metaphor noticed in the preceding note.

10. Quod non ille conceperit. On the place of *non*, see *P. C.* p. 258, 104.

11. Tota Italia. See Arnold's *Nepos, Præf.* 5, 1, p. 63; *Iphicr.* 2, 3, p. 188; Z. 482.

15. Cum Catilina .... vixisse. *Vivere cum aliquo* = to live with some one, not in the sense of being his contemporary, but to have intercourse with, to be on intimate footing with.

16. Quæ cædes .... non per illum? Cf. 1 *Cat.* 6, 14; 7, 18; and *pro Sull.* 5, 16: *quod flagitium Lentulus non cum Autronio concepit? quod sine eodem illo Catilina facinus admisit? Per illum* is different, of course, from *ab illo. Per* does not denote the *immediate agent*, but the person by whose *instigation, assistance, instrumentality*, &c., the action takes place. *Per illum* here may be compared with *illo ad libidinem facem præferente*, in *Cat.* 1, § 13. M.

17. Quod nefarium stuprum non per illum. Why *quod?* *P. C.* 105; Z. 134, and *Note.*

18. Jam vero. These words are often used to mark transition, and = "*likewise*," or "*moreover*," "*besides*."

19. Juventutis illecebra. Cf. 1 *Cat.* 6, 13: *Cui tu adolescentulo*, &c.; and Sall. ch. 14.

25. Sed [nec] ullo. Klotz reads *ne ullo;* Madvig, *ne ullo quidem.*

Ch. V.—**28. Diversa studia in dissimili ratione.** Cicero here exhibits some of the traits of Catiline's character, made up as it was of extremes, in the light of contrasts. He was among the bold and toil-worn distinguished for his daring and patient endurance of labor; and again, among the delicate and effeminate, equally eminent for his excess in these qualities. Cf. *p. Cæl.* 5, 12, where the orator is speaking of Catiline: *neque ego unquam fuisse tale monstrum in terris ullum puto, tam ex contrariis diversisque inter se pugnantibus naturæ studiis cupiditatibusque conflatum.*

30. Intimum Catilinæ. For the construction of *intimus*, see Z. 410.

31. Nemo in scena levior. The histriones were either freedmen, strangers, or slaves, and were generally held in great contempt. *Dict. Antiq.*, Histrio.

33. Frigori .... perferendis. Madvig reads *frigore et fame;* and *assuefactus* is more commonly construed with the ablative. With this reading some editions place a comma after *assuefactus*, and, construing it with *exercitatione*, make what follows = "*propterea quod frigus*, &c. *perferret.*"

35. Subsidia atque instrumenta. These are his capacity for enduring cold, &c.—For *consumerentur* Madvig reads *consumeret.*

36. Si secuti erunt. Z. 168*.—*Sui comites.* The constant attendants and companions of Catiline in Rome, described in what follows as *desperatorum hominum flagitiosi greges.*

Page 21 **38. O nos beatos, &c.** The simple *apodosis*, "Then shall we be happy," is given with greater emphasis by the repeated exclamation.

40. Libidines .... audaciæ. Z. 92.

42. Obligaverunt. Have mortgaged. The reading in the older editions is *abligurierunt* = have wasted in luxury.

43. Res, i. e. domestica, property.—*Fides.* Credit.

22 **1. In vino et alea.** Drinking and play were indulged in at the close of the feast; and when the party were heated with wine they sallied into the streets with torches and music, and visiting the houses of their favorite mistresses, they with uproar demanded admittance, threatening to break down the doors if refused. This was *comissatio.* Games of chance among the Romans were prohibited by various laws, and *aleatores* were infamous.

2. Illi quidem .... sed tamen. When *quidem* followed by *sed* stands with a predicate verb or adjective as a concessive particle, it is not in the best writers connected with the verb or adjective, but with an inserted pronoun. *P. C.* 383; Z. 744.—*Essent .... desperandi.* Z. 417.

3. Inertes homines fortissimis viris. On the distinction between *homo* and *vir*, see Arnold's Nepos, *Paus.* 1, 1.

5. Qui mihi, &c. The dative of personal pronouns is often used (where *we* cannot translate them) to indicate that the thought expressed is one that *interests* and *excites* the *speaker*, or one that must arrest the attention of the person addressed: thus, *Quid mihi Celsus agit?* Hor. *Ep.* 1, 3, 15. *At tibi repente paucis post diebus .... venit ad me Caninius*, C. *Fam.* 9, 2.—*Accubantes.* See *Dict. Antiq.*, TRICLINIUM.

7. Sertis redimiti. It was customary for the guests at such carousals to wear garlands of myrtle, ivy, lilies, roses, &c.; and to perfume their hair with fragrant oils.

12. Sustulerit .... propagarit. See Z. 511.

13. Non breve nescio quod tempus. See *P. C.* 394; Z. 583, in fin.

14. Nulla est enim natio, &c. So *Agr.* 1, 9, 26: *Nullum externum periculum est; non rex, non gens ulla, non natio pertimescenda est; inclusum malum, intestinum ac domesticum est.*

16. Unius. Pompey the Great and his successes against the pirates and Mithridates are referred to.

21. Quacunque. Z. 706. On the tenses in this sentence, see Z. 509.—*Resecanda.* Cf. *Phil.* 8, 5, 15. *In corpore si quid ejusmodi est, quod reliquo corpori noceat, uri secarique patimur; ut membrorum aliquod potius, quam totum corpus intereat: sic in rei publicæ corpore, ut totum salvum sit, quidquid est pestiferum, amputetur.*

23. Proinde = *igitur* cum exhortatione quadam, and is often used in animated appeals at the end of a speech, &c. Z. 344.

CH. VI.—**25. A me.** With emphasis, as its position indicates. With this chapter commences the refutation of the calumnies which the enemies of Cicero and the friends of Catiline had circulated.

28. Videlicet. Z. 345, in fin. Klotz and Madvig read *homo enim videlicet.*

29. Simul atque. How is *atque* (*ac*) to be translated after words denoting similarity? How after words which denote dissimilarity? Is *simul* alone used for *simulac?* Z. 350.—*Ire .... jussus est.* Z. 607. The irony is well sustained throughout the period. Compare note, Orat. 1, ch. 5, line 37.

30. Paruit, ivit. On the omission of *et*, see Z. 783. Klotz reads *paruit. Qui ut hesterno, &c.*—*Hesterno die.* This statement is quite irreconcilable with 1 *Cat.* §§ 1, 9, 10; from which we necessarily gather that Orat. I. was delivered on the 8th of November; whereas, from the present passage, it would appear to have been delivered on the 7th. O. Drumann, Vol. V. p. 456, n. 32, dates the delivery of the first oration on the 7th of November and of the second on the 8th. Madvig, *Opusc.* I. pp. 194–96, inclines to the same dates.

31. In ædem Jovis Statoris. *Ædes* in the singular = a temple; in the plural, a house. In the former sense it is regularly qualified by some adjective expressed, or the genitive of the deity whose temple is mentioned. If more temples than one are spoken of, the adjective or genitive determines the sense, as *ædes sacræ, deorum.*

32. Detuli. See note on Orat. 1, ch. 8, line 44.

34. Ac non potius. In the sense of *and not rather*, *et non* and more commonly *ac non* are retained, and do not give place to *neque* or *nec.* See Krebs, *Guide*, 525; Z. 781, in fin.

36. Partem illam subselliorum. Cf. 1 *Cat.* 7, 16.

38. Vehemens ille consul. On this use of *ille*, see *P. C.* 381; Z. 701. It refers ironically to the first part of the chapter, *sunt, qui dicant . . . a me, &c.*—*Quæsivi a Catilina.* Does *quæro* take a double accusative? With what other prepositions is it construed? Z. 393.

39. Necne = or not. In what kind of questions is *necne* used? What is used in direct questions? Krebs, *Guide*, 324; *P. C.* 122, b; Z. 554. What is there faulty in the reading *an nocturno conventu*, which is found in some editions? Z. 353. Klotz and Madvig read *in nocturno, &c.*; and below, line 42, *in proximam.*

42. Ei ratio .... belli descripta. For what does the dative stand? Z. 419. Translate "how the plan of the whole war had been marked out by him."

44. Dubitaret proficisci. In what sense of *dubito* does the infinitive follow it?—*Pararet. In oratione recta* it would be *quid dubitas eo proficisci, quo jamdudum paras?*

1. Quum arma, quum secures. Cf. 1 *Cat.* § 24. Sall. 36. *Cum fascibus atque aliis imperii insignibus in castra ad Manlium*

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23 *contendit.* Appian, *B. C.* 2, 3: ὁ μὲν δὴ ῥάβδους τε καὶ πελέκεας, ὥς τις ἀνθύπατος, κούφως μάλα ἀνέσχε πρὸ ἑαυτοῦ καὶ ἐς τὸν Μάλλιον ἐχώρει στρατολογῶν.

4. Præmissam attaches itself to the nearest substantive, *aquilam.* Z. 373.—*Ejiciebam.* On this use of the imperfect to describe an action of the past time as incomplete or continuing, see Z. 500.

5. Credo. How is this word here used? Z. 777.

Ch. VII.—**12. Periculis meis.** These are the measures which Cicero with danger to himself had adopted for the suppression of the conspiracy. Cf. *p. Sull.* 11, 33: *meis consiliis, meis laboribus, mei capitis periculis;* and 3 *Cat.* 1, 1. The *asyndeton* between these nouns, and between the several clauses of the protasis, should be noticed; as also the force which the position of *non* gives, and its repetition at the beginning of the clauses of the apodosis.

14. Faciundi. Z. 167.

15. Ad fugam atque in exsilium. Observe the change of the prepositions, *atque in exsilium,* more nearly defining *ad fugam.*

19. Si hoc fecerit, i. e. iter in exsilium converterit. See note on Orat. 1, ch. 9, line 37.

21. Est mihi tanti. Cf. 1 *Cat.* § 22.

23. A vobis .... depellatur. If the verb in the active voice admits the preposition *a* or *ab,* an ambiguity sometimes exists in the passive construction. In this instance it will be easy to decide that the construction belongs to Z. 468, and not to Z. 451.

24. Dicatur .... ejectus esse. Z. 607.

25. Mihi credite. *P. C.* p. 259, 111; Z. 801, in fin.

26. A diis .... optabo .... ut. Z. 613, and *Note* in fin.

33. Massiliam. Cf. Sall. *Cat.* 34: *At Catilina ex itinere plerisque consularibus, præterea optumo cuique litteras mittit; se falsis criminibus circumventum, quoniam factioni inimicorum resistere nequiverit, fortunæ cedere: Massiliam in exsilium proficisci, non quo sibi tanti sceleris conscius esset, sed uti respublica quieta foret, neve ex sua contentione seditio oriretur.*

34. Quam verentur. For their real wish was that Catiline would speedily return to Rome at the head of an army.

35. Tam misericors. Alluding *ironically* to those who pretended to be distressed at the fate of Catiline.

Ch. VIII.—**43. Fatetur se esse hostem;** i. e. by his withdrawal to the camp of Mallius, which Cicero now assumes as certain. The emphatic repetition of *hostis* may be noticed.—*Quem, quia, quod.* Seyffert, *ad Læl.* p. 186, remarks that a succession of words commencing with *q* was rather agreeable to the Roman ear. From Cicero he there quotes, *quoniam quibusnam quisquam, Acad.* 1, 2, 6; and *qui quia quæ, Famil.* 12, 2, 2.

24 **2. Si ullo modo fieri possit.** Klotz reads *posset;* and below, line 4, *volunt* for *volent.*

5. Exponam enim vobis. Supply *primum*, to correspond to *deinde*.

7. Medicinam consilii = *medicinam in consilio positam;* or *medicinam, id est, consilium.* So in § 24. M. Z. 425.—*Si quam potero, afferam.* Z. 509.

8. Unum genus est eorum. For the genitive, see Z. 425. Cf. *p. Mil.* 2, 3: *unum genus est adversum infestumque nobis eorum, quos*, &c. The genuineness of this oration has been attacked against the most express testimony. Among other arguments, some have alleged the length and fulness of these divisions, and of the antithetical array of opposed principles in ch. 11, § 25. Klotz observes, that the orator, who was here addressing the people *after* the decision, had not to *persuade* them to the adoption of measures, but to *satisfy* them that all had been done with sufficient reason, &c. Hence this fulness of description.

9. Majores etiam. Would *adhuc* do for *etiam* as here used? Z. 486.

10. Amore adducti. Z. 454, in fin.—*Dissolvi* = *divelli*, &c. *a prædiis illis;* but not without allusion to the phrase, *æs alienum dissolvere.* Compare *p. Sull.* 20, 59: *Illud erat genus hominum horribile et pertimescendum, qui tanto amore suas possessiones amplexi tenebant, ut ab iis membra divelli citius ac distrahi posse diceres.* This was uttered after the suppression of the conspiracy.

12. Tu agris, tu ædificiis, . . . copiosus sis, et dubites. Compare this form of question with the form noticed in ch. 9, line 22, of Orat. 1; and see Z. 530. Observe also the forcible repetition of the pronoun, which in questions that indicate disapprobation, or surprise and indignation, is usually expressed.

14. Acquirere ad fidem = to gain credit. *Acquirere*, in Cicero, is often construed with *ad* in the sense of increase or addition to that which is already possessed. The contrast of *ad* with *de*, and the *chiastic* arrangement of the clauses may be noticed. *P. C.* p. 14, 15, *b*, and p. 243, init.

15. Quid? Ergo, &c. See Z. 769.

17. An tabulas novas? Sallust tells us that Catiline promised *tabulæ novæ.* Cf. *de Off.* 2, § 84.

18. Tabulæ novæ. . . . verum auctionariæ: "By *my* good services *fresh* bills shall be proposed, *but* they shall be *bills of sale.*" Cicero here plays upon the term *tabulæ novæ*, which usually signifies *a revision of debts;* by which, in revolutionary times, the creditor was forced to give the debtor a *fresh bill*, making a stated deduction (often very considerable) from the old one. *Tabulæ auctionariæ* were schedules, in which the debtor's property was summed up, preparatory to a sale by auction for the benefit of his creditors. These might in jest be called *novæ* (i. e. *insolitæ*), as being a proceeding quite unex-

Page 24 pected by the debtors. Cicero, *de Off.* 2, 24, 84, refers to this time. *Numquam vehementius actum est quam me consule, ne solveretur .. numquam nec majus æs alienum fuit, nec melius nec facilius dissolutum est. Fraudandi enim spe sublata, solvendi necessitas consecuta est.* M.—*Meo beneficio.* Z. 465, *Note.*

21. Neque certare cum usuris fructibus prædiorum: "and not struggle to meet the usurious interest demanded by their creditors with the mere incomes derived from their estates" [i. e. instead of *selling* part to set the rest free]: the interest they had to pay frequently exceeded their entire income.—*Id quod. P. C.* 36*.

22. Locupletioribus his et melioribus civibus uteremur = *we should have in them both richer and better citizens.* See Z. 394, *Note* 1, in fin.

23. Puto pertimescendos. What is omitted with *pertimescendos*, also with *facturi .... laturi,* in the following lines? Z. 776. This omission, which is common after *verba sentiendi* and *declarandi,* occurs most frequently with the infinitive future active and with the gerundive.

CH. IX.—**28. Dominationem .... exspectant.** Compare below *consules se aut dictatores, aut etiam reges sperant futuros.*—*Rerum potiri.* Z. 466.

30. Quibus hoc præcipiendum. Is *quibus* here dative of the agent with *præcipiendum,* by Z. 649; or of the remote object, by Z. 405?

32. Quod conantur. Z. 546.

33. Primum omnium, me ipsum vigilare .... deinde .... denique. See Z. 727.—These infinitive clauses are to be referred to *præcipiendum,* or some suitable *verbum dicendi* or *sentiendi* implied in it.

35. Maximam multitudinem. Matthiæ observes that the construction is *as if* it were *magnos esse animos virorum bonorum .... maximam* (eorum) *multitudinem.*

38. Præsentes auxilium esse laturos. The force which lies in *præsentes* will be noticed. The gods, as if present before our eyes, will render prompt and efficient aid. Cf. 3 *Cat.* 8, 18; and ch. 13, 29, of this oration. *Præsens* often = propitius, favens.

42. Se .... reges sperant futuros. Would *reges sperant esse* be admissible for, "they hope to be kings"?—*Aut etiam reges.* This Cicero adds with the design of rendering the class of which he is speaking odious to the Roman people, to whom the name king was offensive.

43. Fugitivo .... aut gladiatori concedi sit necesse. See *P. C.* p. 245, 47. For Catiline, in the event of success, would advance such characters to posts of honor, not those who had remained inactive in Rome.

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44. Ætate .... affectum = *provectum, ut vires debilitatæ quidem sint, sed non exhaustæ.*

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3. Quas Fæsulis, &c. *Catilinam* (in consulatus petitione) *stipatum choro juventutis, vallatum indicibus atque sicariis .... circumfluentem colonorum Arretinorum et Fæsulanorum exercitu. Pro Muren.* § 49. Klotz reads *quas Fæsulas;* Madvig, *quas Sulla constituit.—Universas.* This adjective is often used in agreement with the noun, where we should use an adverbial expression, as "in general," or "on the whole." The same is true in Latin of many other adjectives.

5. In insperatis ac repentinis pecuniis = *quum insperatas et repentinas pecunias adepti essent.* The preposition *in* denotes rather the continuing state, the abl. alone would express the cause or ground. Appian, *B. Civ.* 2, 2, p. 177: *περιέπεμπεν ἐς τῶν Συλλείων τοὺς τὰ κέρδη τῆς τότε βίας ἀναλωκότας καὶ ὀρεγομένους ἔργων ὁμοίων.* M.

7. Lecticis, &c. The *lecticæ* were a mark of opulence, requiring many *lecticarii,* &c. They answered to a splendid equipage in our days. See *Dict. Antiq.*, Lectica.

13. Sed eos hoc moneo. Z. 440. With a substantive, *moneo* in Cicero regularly takes *de.*

14. Dictaturas cogitare, i. e. to dream that dictatorships (*and the license of Sulla's days*) will come back again.—The *illa tempora* (= *those days*), the days of Sulla's dictatorship.

15. Inustus forcibly expresses the violence and duration of the suffering.

16. Non modo homines. Supply the negative predicate of the following clause. Z. 724, *b.*

Ch. X.—**18. Quartum genus ... qui,** &c. Cf. *ad Quint. fratr.* 1, 1, 12: *Deinde ex eo genere civium, qui nos summa necessitudine attingunt.* So *Agr.* 2, 14, 37: *Quum ex eo numero qui per eos annos consules fuerunt multi mortui sint.* Z. 366, in fin.

19. Jampridem premuntur. How to be construed? *P. C.* 413

21. Qui .... permulti. Z. 430.

22. Vadimoniis, judiciis, proscriptionibus. The exact order of procedure is here observed: for, first, the creditor took bail of the debtor; secondly, if the debtor failed to make his appearance, the creditor was put in possession; thirdly, if the creditor remained in possession thirty days, the property was proscribed. Muret.

23. Et ex urbe et ex agris. For the repetition of the preposition, see note on page 18, line 5.

24. Infitiatores lentos. *Lentus* is a slow payer. *Infitiatores lenti* are persons who put off paying their debts by denying wholly, or in part, that they are *just* debts.

25. Primum, not *followed* by *deinde,* occurs 1 Fin. 6, 17, and in several other passages.—*Si stare non possunt.* With reference to *vacillant,* line 21.

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25 **26. Corruant.** The subjunctive as containing the advice which Cic. had promised, ch. 8, 17.—*Sed ita, ut non modo,* &c. "Ita ut nullum incommodum e ruina ipsorum non modo ad civitatem sed ne ad vicinos quidem perveniat." Muretus, who considers the expression proverbial and suspects that there is an allusion to an old play, as Plato has *ἡμῶν δὲ γεννωμένων, τὸ τοῦ κωμῳδοποιοῦ, οὐδ' οἱ γείτονες σφόδρα τοι αἰσθάνονται,* Alcib. 1, p. 121, and Plutarch (Phocion, c. 30), *ἐμοῦ μὲν τὴν σὴν μητέρα γαμοῦντος οὐδ' ὁ γείτων ᾔσθετο.*

28. Honeste = with honor, in consequence of their debts.

32. Neque . . . possunt et pereant. Here two leading clauses are connected, the former of which stands as unconditional in the indicative, the latter as concessive in the subjunctive. On *neque . . . et,* see Z. 338, in fin.

34. Postremum. In a double sense "the last and worst," as Cicero immediately explains it.

36. Proprium, in the full meaning of what is peculiarly and exclusively his.—*De complexu ejus ac sinu* = of his bosom friends. The expression is figurative, and derived from the Roman custom of reclining at table. It is often used in a good sense of an intimate and valued friend. Muretus thinks there may be here an allusion to Catiline's impurity of life.

37. Quos pexo capillo, nitidos, &c. Some editions omit the comma between *capillo* and *nitidos,* making *pexo capillo* limit and define *nitidos.* Compare ch. 3, 5, *qui nitent unguentis,* and ch. 5, 10, *unguentis obliti.*

38. Bene barbatos = "*adultiores qui barbula delectantur,*" ut loquitur pro Cœl. 14, 33. M. Cf. *Dict. Antiq.,* BARBA.—*Manicatis et talaribus tunicis.* "It was considered a mark of effeminacy for men to wear tunics with long sleeves (*manicatæ*), and reaching to the feet (*talares*)." *Dict. Antiq.,* TUNICA. Cf. Gell. *N. A.* 7, 12.

39. Velis amictos, non togis, i. e. "in such loose and flowing togas that they should rather be called *veils.*" A close-fitting toga indicated a person of strict character, &c.; e. g. *exiguæque togæ simulet textore Catonem.* So, *of course,* an ample flowing toga belonged to *luxurious, effeminate* livers. *Tunc procul absitis, quisquis colit arte capillos, Effluit effuso cui toga laxa sinu.* M.

40. Cœnæ antelucanæ were banquets carried on all through the night till the day broke: this was called *cœnare in lucem.*

41. Gregibus. Contemptuously. So ch. 5, 10: *flagitiosi greges.* —*Aleatores.* See note on p. 22, line 1.

43. Neque cantare et psallere. Supply *solum* from the preceding. *Cantare* properly of vocal music; *psallere* of instrumental music, particularly on stringed instruments, accompanied by the voice. Some editions give *cantare et saltare,* others *psallere et saltare.*

26 **1. Scitote.** Z. 164.

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2. Seminarium Catilinarium, "*a Catilinarian nursery;*" i. e. for bringing up young Catilines; men resembling Catiline in principles and morals. Cf. *seminarium pomarium*, &c. Madvig reads *Catilinarum*.

3. Sibi isti .... volunt. See Z. 408, in fin.

6. Nisi. Ironically. Z. 526.

7. Idcirco .... quod. *Idcirco* and *ideo* = "for this reason," and refer either to a preceding statement or a succeeding one. They sometimes refer to a following *quod, quia,* or *quoniam.* The order may be inverted, and *quod,* &c. precede. Sometimes *ideo* and *idcirco* refer to a *purpose* to be afterwards stated by *ut, quo; ne, ut ne.* The forms *si .... idcirco; etsi .... idcirco; neque si .... idcirco,* are common. *Ideo* also occurs with this reference to a conditional sentence.

CH. XI.—**10. Scortorum cohortem prætoriam.** *Scorta* here = *cinædi;* those just before called *impuri impudicique. Cohors prætoria* was the name applied to the body of men which was particularly appointed to attend on the commander, and which was composed of soldiers of tried bravery.

* **13. Gladiatori illi confecto.** Contemptuously of Catiline. Donatus, *ad Ter. Eun.* V. 4, 4, citing this passage says, *proprie hoc verbum* (confectus) *convenit gladiatoribus iis, qui gravissimis vulneribus occubuerunt.*

14. Naufragorum ejectam .... manum. Compare note on p. 17, line 38. *Ejicere* is often used of one who is wrecked and cast upon the shore. Virg. *Æn.* 1, 578: *Si quibus ejectus silvis aut urbibus errat.*

16. Urbes coloniarum ac municipiorum = *urbes, scilicet coloniæ ac municipia;* i. e. *urbes* denotes the *genus*, and *coloniæ* and *municipia* the *species.* Cf. Or. 11, 15, 63: *Causa vel casûs vel sapientiæ vel temeritatis;* where *casus, sapientia, temeritas,* are the species of the *genus* causa. M. Z. 425.—*Respondebunt* = *pares erunt ad resistendum; resistent, opponentur;* "*will be a match for.*" Cf. pro Flacco, 40, 100: *Septimio et Cælio testibus P. Servilius et Q. Metellus .... repugnabunt. Asiaticæ jurisdictioni urbana jurisdictio respondebit.* The notion is that of drawing up one line of soldiers opposite to another, so that each *answers* or corresponds to a particular portion of the enemy's line.

17. Tumulis silvestribus; which Catiline gave out that he would occupy, for the purpose of carrying on a guerilla warfare; such localities as cowards flee to who seek lurking-places for ambuscades, and dare not give battle in the open plain. So Liv. 27, 20: *tumulus erat silvestris, quem Hannibal insidiis quam castris aptiorem esse crediderat.* Schütz.

18. Ornamenta = all the necessary equipments, the whole ap-

* primum quod. be; "And in the first place, oppose your consuls and commanders to this exhausted and weakened gladiator" (Catiline)

Respon... = "we are a match ..." or "we ..."

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26 *paratus belli.—Cum illius latronis inopia atque egestate.* Compare Sall. *Cat.* ch. 56: *Sed ex omni copia circiter pars quarta erat militaribus armis instructa,* &c., and ch. 59: *latrones inermes.*

20. Suppeditamur = *abundamus.* Cf. *suppeditatio bonorum* = abundantia, copia: de Nat. Deor. 1, 40.

22. Exteris nationibus. *Externus* denotes a merely local relation, and is applicable to things as well as to persons; but *exterus* an intrinsic relation, and is an epithet for persons only. *Externæ nationes* is a merely geographical expression for nations that are situated without; *exteræ nationes,* a political expression for foreign nations. Död. Compare *ab externo hoste,* p. 27, line 38.

23. Contendere = conferre; comparare. Cf. *quidquid tu contra dixeris, id cum defensione nostra contendito.* Pro S. Rosc. 33, 93.

29. Æquitas, &c. Heumann remarks, that the four primary or cardinal virtues are alluded to, according to the practice of Platonists and Stoics: δικαιοσύνη, σωφροσύνη, ἀνδρία, φρόνησις. Cf. C. de Offic. 1, 5.

31. Postremo. Notice *postremo* after *denique* in line 29, and again *denique* after *postremo* in line 32. Z. 727.

33. In hujusmodi certamine ac prœlio. *Certamen* = strife, contest with words or weapons, here in reference to the opposed virtues and vices; *prœlium* is a more technical military expression = combat, action, engagement, with reference to the evolutions and charges.

35. Cogent. Klotz and Madvig read *cogant.*

Ch. XII.—**38. Quemadmodum jam antea.** After *antea* the MSS. give *dixi,* which Klotz retains, and with Benecke supposes may refer to the sentence *Instruite nunc,* &c. § 24, which was interrupted by the enumeration of the virtues and vices which are arrayed against each other.

39. Mihi . . . consultum, &c. See Z. 419.—*Sine ullo tumultu.* See *P. C.* 390, 391; Z. 709.

41. Certiores a me facti de, &c. Z. 394, *Note* 1.

43. Gladiatores, quam, &c. See Z. 372. Catiline's intimacy with them has been noticed in ch. 5, 9. Cf. Q. Cicer. *de petit. cons.* 3: *qui postea cum gladiatoribus ita vixit, ut facinoris adjutores haberet.*

44. Meliore animo sunt, i. e. *potentiores et fortiores.* So Matthiæ after Heumann. It seems better, however, to understand the words of the disposition which the gladiators showed. They might have been better disposed to the state than some of the patricians, and yet have needed to be held in check. Cicero obtained a decree from the senate, by virtue of which the gladiators were sent to Capua and other municipal towns. Cf. Sall. 30.

27 **1. Continebuntur,** by being distributed about the country at Capua and other municipal towns. Sall. 30.

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7. Atque .... contra, &c. *Atque adeo* here = *vel potius.* Z. 737.

10. Nunc illos, qui, &c.—*monitos eos etiam atque etiam volo.* Observe the *eos*, which is not wanted, the construction being *nunc illos .... monitos volo.* Many instances of this kind are found, especially after the relative and an intervening clause. M. quotes 2 Or. 23, extr.: *Hæc ipsa, quæ nunc ad me delegare vis, ea semper in te eximia et præstantia fuerunt.* Inv. 1, 31, 52: *Factum est, ut etiam illud, quod dubium videbatur, si quis separatim quæreret, id pro certo propter rationem rogandi concederetur.*—On *monitos .... volo,* see Z. 611.

11. Adhuc .... solutior. Would it be proper to connect *adhuc* with *solutior* in the sense of "*still*"? Z. 486. *Adhuc* relates to *time,* and = "*up to this time,*" "*hitherto,*" "*as yet.*"

16. Connivere possum. So Klotz, and Madvig from *Schol., Val. Prob.* p. 137, Lind. and *cod. Teg.* The common text is *consulere sibi possunt.*

17. Non modo factum, sed inceptum. After *non modo, sed* follows without *etiam,* where the second is the stronger statement.

Ch. XIII.—**23. Res maxima.** Klotz and Madvig read *res maximæ.*

25. Togato duce et imperatore. The same expression occurs in Orat. 3, 10, 23. The toga was the robe worn by the Romans in times of peace, and the word sometimes stands for *pax.* The language is military, except as qualified by the word *togatus,* which expresses that the general is not one in the field (i. e. *sagatus* from *sagum*), but a peaceful leader in a quiet suppression of the threatening war.

26. Sedetur. See Z. 373, and compare *deduxerit,* line 30.

31. Quod .... vix optandum videtur, i. e. "as being so *impossible* that it would be idle to wish for it." Thus the Greeks used to denote such things as one might fairly wish for, as being εὐχῆς ἄξια (Isocr. Pan. 79), or εὐχαῖς ὅμοια (Plat. de Rep. 14, 499). O. On the use of the participle in *dus* with the signification of *possibility,* see Z. 650. With what particle has it this signification in classical prose?

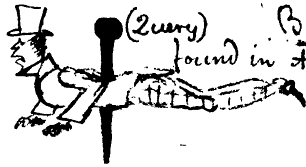
32. Ut neque bonus quisquam intereat paucorumque pœna, &c. Observe *neque ... que.* A negative sentence with *neque* (*nec*) is often followed by an affirmative one with *et* or *que.* The notion introduced by *et, que,* is often the stronger opposite notion to that which is rejected. The force may often be given by *not .... but rather.* Cf. 1 de Fin. 14, 48: *Ex quo intelligitur nec intemperantiam propter se esse fugiendam temperantiamque expetendam.*

36. Quibus .... ducibus. *P. C.* 364.

40. Precari, venerari [atque] implorare. Observe the gradation in the words. What is there irregular in the use of *atque* as here found? Z. 783. Madvig omits it altogether.

48. Terra marique, "By land and at sea"

Harvard Specimen of a (query) Bed bug found in Agassiz's cabinet(?)



THIRD ORATION AGAINST CATILINE.

ANALYSIS.

1. In the introduction Cicero announces to the people that the state is saved, and thus prepares the way for a recital of the course of events. (Ch. 1, § 3.)
2. The orator narrates the means and precautions by which the conspiracy was discovered, and how the conspirators were convicted by the testimony of Vulturcius and the Allobroges, and by their own letters and confessions: for which, he adds, it was decreed by the senate, whose decree is recited, at the close of the examination of the conspirators, with honorable mention of his colleague Antonius and of the prætors, that a thanksgiving to the gods should be appointed in the name of Cicero. (Ch. 2, § 3–ch. 6, § 15.)
3. He showed that it was principally owing to the manifest favor of the immortal gods that this conspiracy was discovered, they having by the clearest signs indicated the danger which threatened the republic. (Ch. 7, § 15–ch. 9, § 22.)
4. He in conclusion exhorts the people to celebrate the festival which is to be instituted in honor of the gods, and commends himself to the protection and grateful remembrance of his fellow-citizens, promising to labor, even after the termination of his consulship, for the welfare of the state. (Ch. 9, § 22 –end.)

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CH. I.—**2. Bona fortunas.** These nearly synonymous words are frequently found together. Cf. *Rosc. Am.* 49, 141; *Cæc.* 13, 38; and *Verr.* 2, 1, 44: *Quibuscum vivi bona nostra partimur, iis prætor adimere, nobis mortuis, bona fortunasque poterit?* on which Pseudo-Asconius remarks: Bona in ipsis possessionibus, fortunæ in fructibus earum.—Observe the *asyndeton* (Z. 825) in some of the clauses of this period, and the variation in the use of the conjunctions, *et, atque, que.* Z. 333.

3. Domicilium .... imperii. See ch. 11, 26: *imperii domicilium sedemque;* and Nep. *Att.* 3, 3: *domicilium orbis terrarum .... imperii.*

4. Hodierno die. This oration was delivered on the 3d of December.

7. Et, si idem fere significat ac *quod si.*

11. Profecto. Z. 266, *Note* 2.—*Illum qui hanc urbem condidit .... is, qui eandem hanc urbem conditam amplificatamque servavit.* On such circumlocutions, see Z. 714, 3. In this instance, however, the form appears to be determined by considerations connected with the periodic structure (Z. 810) and rhythm of the sentence. Seyffert, *Pal. Cic.* p. 10.

12. Famaque. *De Nat. Deor.* 2, 24: *Suscepit autem vita hominum consuetudoque communis, ut beneficiis excellentes viros in cæ-*

lum fama ac voluntate tollerent. *Off.* 3, 5: *Herculem illum, quem hominum fama beneficiorum memor, in concilio cælestium collocavit.* Late Greek writers use φήμη in the same way. Plut. *Rom.* T. 1, 63, B.: Ῥωμύλον μὲν οὗτοι θεῶν παῖδα ὑμνοῦσι φήμαις. Cf. *Tusc.* 1, 12, 28.

14. Amplificatamque. The addition of this word serves to contrast the present grandeur of Rome with its early narrow limits and thus magnify the merit of Cicero as its preserver.

15. Templis delubris. See *P. C.* p. 128, y; and compare *bona fortunas* above.

17. Iidemque. See Z. 127 and 697

18. Dejecimus. Cf. *Verr.* 5, 62. *Phil.* 1, 2, 6: *A cervicibus jugum dejicere.* *Pro Sull.* 9, 28: *quos* (homines) *ego a vestris cervicibus depuli.* Cf. below, 7, 17. M.

19. Comperta sunt per me, "i. e. mea opera atque industria, non *a me.* See Z. 455, *Note.* *Illustrata,* in luce posita, ita ut non amplius laterent, *patèfacta,* ita illustrata, ut omnibus paterent, vel, ut ipse loquitur pro Sulla 2, in. *id omnes viderent, quod antea fuisset occultum: comperta,* certis indiciis cognita et deprehensa. Gravissimum ex his esse *comperta,* vel ex eo apparet, quod hoc verbo utentem Ciceronem irridebant adversarii. Vid. *ad Fam.* 5, 5, *ad Att.* 1, 14. *Acad. Disp.* 4, 19, 62. Sic *pro Sull.* 4, 12: *non modo enim nihil comperi, sed vix ad aures meas istius suspicionis fama pervenit,* ubi ad minora descenditur." M.

21. Investigata et comprehensa = *deprehensa,* a metaphor derived from the chase.

22. Ex actis, accurately, according to the official reports of what has taken place. The regular *daily journals* (*acta diurna*) were not yet kept, if Suetonius is to be trusted. *Inito honore,* Cæsar *primus omnium instituit, ut tam Senatus quam populi diurna acta confierent, et publicarentur.* Jul. Cæs. c. 20: this was in his first consulship.—The meaning of the passage from Suetonius is rather that Cæsar introduced a regulation for the making up of the minutes of the proceedings of the senate in form for publication as a part of the Roman daily gazette. See *Dict. Antiq.* Acta Diurna.—Klotz reads, *qui ignoratis [et exspectatis], ex actis scire;* Steinmetz, *qui ignoratis, et exspectatis, scire,* &c.

23. Paucis ante diebus. Z. 476. This was the 25th day from his departure.

Ch. II.—**1. Quum .... ejiciebam,** "*whilst I was endeavoring to drive Catiline out.*" Cf. 2 *Cat.* § 14, and *exterminari volebam* just below. On the mood, see *P. C.* 488, *b;* Z. 579.—Cicero is not always uniform or consistent in his expressions respecting the part which he took in the withdrawal of Catiline. He distinguishes between allowing him to go forth, and casting him forth, *emittere* and *ejicere,* using one or the other word as best suited his purpose.

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3. Sed tum. This is the *sed* of *resumption* = inquam, *I say.* Z. 739.

6. Atque is here a *particle of transition.* "*When then I saw,*" or (better) "*and so when I saw.*" "Usurpatur *atque* in adjiciendo eo, quod id, de quo antea sermo erat, sive ex ratione causæ, sive temporis consequitur; ideoque in iis locum habet, quæ necessitate quadam continuationis vel consecutionis arcte cohærent. Nos dicimus *und so* (*and so*)." Hand, i. 478; and p. 497, he notices as especially frequent the forms *atque ego, atque ego scio, ac nescio, atque haud scio, ac vereor, atque ego credo,* which often have the appearance of modesty, as if the speaker would signify that he has been led to his opinion by the circumstances themselves.

7. Furore et scelere. Compare note 2 on page 19, and page 9.

10. Auribus vestris. For, *segnius irritant animos demissa per aurem, Quam quæ sunt oculis commissa fidelibus.* Hor. *ep. ad Pis.* 180.

11. Comprehenderem = *liquido convincerem, tanquam manu prehensam.* Cf. § 3; *pro Cluent.* 16, 47: *quo facilius comprehenderetur res ejus indicio. Pro Flacc.* 16, 38.

12. Saluti vestræ provideretis. *P. C.* 233; Z. 414.

13. Ut comperi. "Per Q. Fabium Sangam, *cujus patrocinio civitas* Allobrogum *plurimum utebatur:* Sallust, 41. Allobrogum autem legati Romam venerant, questum de avaritia magistratuum, ut ait idem, c. 40: *αἰτιώμενοι τοὺς ἡγουμένους αὐτῶν.* Appian, *B. C.* 2, p. 179. Plut. *Cic.* 18: *πραττομένων δὲ τούτων, ἔτυχον ἐπιδημοῦντες Ἀλλοβρόγων δύο πρέσβεις, ἔθνους μάλιστα δὴ τότε πονηρὰ πράττοντος καὶ βαρυνομένου τὴν ἡγεμονίαν. τούτους οἱ περὶ Λέντλον ὠφελίμους ἡγούμενοι πρὸς τὸ κινῆσαι καὶ μεταβαλεῖν τὴν Γαλατίαν ἐποιήσαντο συνωμότας.* Victi autem erant Allobroges a Q. Fabio Maximo, A. U. C. 632." M. See General Introduction, p. 143.—The Allobrŏges were a Gallic people occupying the country between the Isăra and Rhodănus, lake Lemannus and a part of the Alps, in modern Dauphiné and Savoy. Their chief town was Vienna (Vienne), and their border-town towards the Helvetii was Geneva. The name Sapaudia was applied to this country as early as the time of Ammianus.

14. Belli Transalpini. In farther Gaul.—*Tumultus Gallici.* In hither Gaul. For the peculiar meaning of *tumultus*, see Arnold's Nepos, *Milt.* 4, 3; and compare Cic. *Phil.* 8, 1: *Quid est enim aliud tumultus, nisi perturbatio tanta, ut major timor oriatur? unde etiam nomen ductum est tumultus. Itaque majores nostri tumultum Italicum, quod erat domesticus; tumultum Gallicum quod erat Italiæ finitimus; præterea nullum tumultum nominabant.*

16. Eodemque itinere. Their route to Gaul would lie through Etruria, where Catiline was encamped.

18. Volturcium. Βουλτούρκιον ἄνδρα Κροτωνιάτην, Appian, l. c.

Vulturcium quendam Crotoniensem, Sallust, 44. Τίτον τινὰ Κροτωνιάτην, Plut. l. c.

21. Ut is frequently repeated after a parenthetical relative clause, as this is a repetition of the *ut* in line 19.

22. L. Flaccum. Cf. or. *pro Flacc.* 40, 102: *O nox illa, quæ pæne æternas huic urbi tenebras attulisti! quum Galli ad bellum, Catilina ad Urbem, conjurati ad ferrum et flammam vocabantur: quum ego te, Flacce, cœlum noctemque contestans, flens flentem obtestabar: quum tuæ fidei optimæ et spectatissimæ salutem Urbis et civium commendabam. Tu, tu, Flacce, Prætor, communis exitii nuntios cepisti; tu inclusam in litteris rei publicæ pestem deprehendisti: tu periculorum indicia, tu salutis auxilia ad me et ad Senatum attulisti. Quæ tibi tum gratiæ sunt a me actæ? quæ ab Senatu? quæ a bonis omnibus? Quis tibi, quis C. Pomptino, fortissimo viro, quemquam bonum putaret unquam non salutem, verum honorem ullum denegaturum.*

23. Fortissimos atque amantissimos. By these epithets Cicero wishes to show that he selected for the execution of his plan, men who had both the ability and the will to serve their country. Sallust, ch. 45, calls them *homines militares.*

25. Illi . . . . qui . . . . sentirent. When *qui* assigns the reason or ground, and stands for *quum* or *quum is*, it is followed by the subjunctive; and the noun or pronoun to which it refers usually precedes. *P. C.* 481; Z. 564. So *Tusc. Disp.* 1, 11, 24: *quid de Dicæarcho dicam, qui nihil omnino animum dicat esse?* = *qui dicit* et *quum dicat. Pro Arch.* 10, 25: *qui sedulitatem mali poetæ duxerit aliquo tamen præmio dignam, hujus ing.*, &c. M.

27. Sine ulla mora. See Z. 709.

28. Ad pontem Mulvium. Now corrupted into *Ponte Mollo* or *Ponte Molle.* It was three [Roman] miles from the column in the Roman forum, on the Flaminian road.

29. Bipartito fuerunt. Compare in Greek, δίχα εἶναι. See Z. 365, in fin. Klotz reads *bipertiti fuerunt.*

32. Ex præfectura Reatina. Cicero was the *patronus* of the *Reatini* (*Reate*, now *Riete*), and therefore summoned their aid. *Ego nuper, quum Reatini, qui essent in fide mea*, &c., *pro Scauro*, 27. *Præfecturæ* were towns, the highest magistrate of which was a *præfectus juri dicundo*, who was appointed annually in Rome and sent thither. Consult *Dict. of Antiq.*, Colonia, towards the end of the article.

33. Quorum opera, &c. Klotz and Madvig read, *quorum opera utor assidue in rei publicæ præsidio, cum gladiis miseram.*

34. Tertia fere vigilia. The Romans divided the night into four watches. The time here mentioned would, therefore, be towards three o'clock in the morning.

Page 29 **35. Magno comitatu** = *cum m. com.* Cf. *pro Mil.* 10, 28: *quum hic insidiator .... cum uxore veheretur in rheda, pænulatus, magno .... ancillarum puerorumque comitatu.* M. See Z. 472.

36. Educuntur .... gladii. "Probabilior est Salustii narratio, c. 45: *utrimque clamor exortus est; Galli cito cognito consilio sine mora prætoribus se tradunt. Volturcius primo cohortatus suos, gladio se a multitudine defendit* cet. Conjurati memorantur a Salustio, c. 17. In his *ex equestri ordine P. Gabinius Capito;* quod familiæ nomen longe probabilius est, quam *Cimber*. Puto rhetorem memoriæ vitio errasse. [This refers to Orelli's disbelief of the genuineness of the last three orations against Catiline. Compare note on p. 24, line 8.] *C. Annius Cimber* famosus fuit M. Antonii administer, *L. Tillius Cimber*, notus Cæsaris interfector. *L. Statilius* item eques Ro. *C. Cornelius Cethegus*, post Lentulum princeps in illa conjuratione. *Natura ferox, vehemens, manu promptus erat.* Sall. c. 43. *P. Cornelius Lentulus Sura*, consul, A. U. C. 683. Ἀνὴρ γένους μὲν εὐδόξου, βεβιωκὼς δὲ φαύλως καὶ δι' ἀσέλγειαν ἐξεληλαμένος τῆς βουλῆς πρότερον· τότε δὲ στρατηγῶν τὸ δεύτερον, ὡς ἔθος ἐστὶ τοῖς ἐξ ὑπαρχῆς ἀνακτωμένοις τὸ βουλευτικὸν ἀξίωμα. Plut. *Cic.* 17. *Excogitandi et loquendi tarditatem tegebat formæ dignitas, corporis motus plenus et artis et venustatis, vocis et suavitas et magnitudo.* Cic. *Brut.* 66. O.

Ch. III.—**39. Interventu Pomptini.** See page 11, note 12.

41. Integris signis. With the seals unbroken. Letters were frequently written upon waxen tablets, which were secured by being fastened together with packthread and sealed with wax.

44. Cimbrum Gabinium. *P. Gabinius Capito*, ex equestri ordine. Cf. Sall. 17, and below, § 14. See also Sall. chaps. 40 and 55. —*Statim* is opposed to *a future time* (postea), and = "*at once*" as opposed to "*then*," "*afterwards*," "*at another time*."—*Nihil dum. Nondum, necdum, nihil dum, nullus dum* add to the negatives the meaning of *up to this* or *that time*, whether it be a *past*, *present*, or *future* time.

30 **2. Credo.** In what way is this word used? Z. 777.

3. In literis his dandis. So Orelli, Klotz, and others. Madvig omits *his;* and Steinmetz omits *dandis*. The common text is *literis dandis*, which Wunder, *ad Planc.* 6, 15, defends as = *quum literas daret.* Compare Z. 643, Hand, iii. p. 286, and Halm, *in Vatin.* p. 81, fg. By *in* more prominence is given to the duration of the time, which well suits the sluggish and indolent character of Lentulus. But even where the notion of time would be suitable, the Latin language prefers the causal or instrumental mode of expression as the more logically exact and definite. Seyffert, *Pal. Cic.* p. 93.—*Præter consuetudinem.* Lentulus being notoriously *indolent;* ὁ Λέντουλος ἥκιστα δραστήριος ἦν ... Dio. 37, 32. So Catiline says of him in Sallust: *Scitis equidem, mi-*

lites, socordia atque ignavia Lentuli quantam ipsi cladem nobisque attulerit.

4. Quum vero. *Vero* = part. affirmativa, gravitatem addens narrationi de re non minimi momenti. Z. 348, *Note.*

7. Referri placeret. So Orelli, Klotz, and Süpfle, from MSS. Madvig and others, *deferri.* "Correctio est ex seqq. *Referri* non 'literas,' sed significat: relationem a me consule fieri." Orelli. See note, p. 14, line 44.

8. Negavi me esse facturum, ut, &c. On this circumlocution, see Z. 618. To what is the expression in the text equivalent? Z. 619, in fin.

10. Rem integram. The matter untouched, just as it was found; in reference to *literas .... aperiri* above.—*Si .... tamen. De Orat.* 1, 16, 72: *quibus ipsis si in dicendo non utimur, tamen apparet atque exstat,* &c. 41, 185: *Nam si esset ista cognitio juris magna ac difficilis, tamen utilitatis magnitudo deberet homines ad suscipiendum discendi laborem impellere.* Muretus.

12. Nimiam diligentiam = *nimiæ diligentiæ crimen.* M., who compares the Greek ἀργίαν ἔχειν, δυσσέβειαν κτήσασθαι, &c.

13. Senatum .... coegi. He summoned them to meet in the *Temple of Concord,* which stood in a commanding situation on the ascent to the Capitol; its elevated site (the ascent to it was by several steps), commanding the forum and place of assembly, made it a very strong place; and a guard of *Equites* volunteered to defend it against all attacks. It was vowed and built by M. Furius Camillus (388?) in commemoration of the reconciliation between the patricians and plebeians. Plut. *Cam.* 42; Ovid, *Fast.* 1, 641.

15. C. Sulpicium. Plut. *Cic.* c. 19: Γάϊος δὲ Σουλπίκιος, εἷς τῶν στρατηγῶν (= prætorum), ἐπὶ τὴν οἰκίαν πεμφθεὶς τοῦ Κεθήγου, πολλὰ μὲν ἐν αὐτῇ βέλη καὶ ὅπλα, πλεῖστα δὲ ξίφη καὶ μαχαίρας εὗρε, νεοθήκτους ἁπάσας. M. —*Misi, qui .... efferret.* What are the various ways of expressing a *purpose* in Latin? *P. C.* p. 216, h, to which *qui* with the subjunctive should be added, especially after verbs of *sending, coming, giving, choosing,* and the like. Cf. 1 *Cat.* 4, 9: *delegisti, quos Romæ relinqueres, quos tecum educeres.*

16. Si quid telorum. See Z. 740.

Ch. IV.—**18. Fidem ... publicam** (= ἄδειαν, Dio Cass. 37, 34), dare: *to pledge to him the word of the state that his life should be saved = to promise him pardon,* &c.

19. Jussu senatus. For only when authorized by a decree of the senate could the consul make this pledge. Cf. *p. C. Rabir.* 10, 28.

20. Metu .... timore. The change of words here is not merely to vary the expression. *Metus* is well-grounded fear, as here of punishment, if he had not received the promise of pardon; *timor magnus,* on the other hand, denotes the great anxiety and apprehension with

Page 30 which Volturcius was filled, without regard to its being well-founded or not.

22. Ut servorum præsidio uteretur. Cf. § 12, and Sallust, 44: *ad hoc mandata verbis dat, quum ab senatu hostis judicatus sit, quo consilio servitia repudiet?* M. After *literas* supply *quibus præscriptum erat* for the following sentence to depend on. Klotz reads *ut ad urbem*, &c.

23. Id autem. On the *id*, see Z. 699. *Autem* is the weakest adversative particle, being rather a particle of *distinction* than of opposition. A principal use of it is to add some new distinction, description, or remark, where *we* should use "*and.*" Before the last term of an enumeration it gives prominence to that part of it above the rest. Observe the frequency with which it occurs in this chapter. See Z. 348, *Note;* Arnold's Nepos, *Milt.* 4, 1.

25. Cædem infinitam. According to Plut. *Cic.* 18, the only exception made by Lentulus was the children of Pompey.

26. Qui .... exciperet et .... conjungeret. See note on line 15 of this page. *P. C.* 483 (6); Z. 567.

31. Pedestres ... copias non defuturas. See *P. C.* 460 (*c*) (1).

32. Ex fatis Sibyllinis. Consult *Dict. Antiq.*, SIBYLLINI LIBRI; Schmitz, *Rome*, p. 68. Klotz reads *ex libris Sibyll.*, &c.

33. Esse se tertium illum Cornelium. Cf. Sall. ch. 47.

35. Cinnam ante se et Sullam. See *P. C.* p. 237, 20, *Obs.*

37. Post Virginum (sc. Vestalium) **absolutionem, &c.** Probably the trial, in which Fabia, the sister of Cicero's wife Terentia, was acquitted. She was accused of a connection with Catiline. Asconius in *Orat. in tog. Cand.* p. 93, Or.; Plut. *Cat. min.* ch. 19. The trial mentioned in *Brut.* 67, 236, is probably the same.

38. Post capitolii .... incensionem. "Appianus Bell. Civ. 1, 86: *Καὶ τὸ Καπιτώλιον ἐνεπίμπρατο· καὶ τὸ ἔργον τινὲς ἐλογοποίουν Κάρβωνος ἢ τῶν ὑπάτων ἢ Σύλλα πέμψαντος εἶναι· τὸ δὲ ἀκριβὲς ἄδηλον ἦν.* Cassiodorus in Chronico memorat, L. Scipione et C. Norbano coss. A. U. C. 671, Capitolium custodum negligentia concrematum esse, et Tacitus Hist. 3, 72: *Arserat et ante Capitolium civili bello, sed fraude privata*. Restitutum postea auctore L. Sulla et dedicatum a Q. Lutatio Catulo cos. A. U. C. 676." Steinmetz.

40. Saturnalibus. They were then celebrated on the 19th of December. Macrob. 1, 10: *Apud majores nostros Saturnalia die uno finiebantur, qui erat* a. d. xiv. *Kal. Jan.* (19 Decbr.) *Sed postquam C. Cæsar huic mensi duos addidit dies, sexto decimo* (17 Decbr.) *cœpta celebrari.* See *Dict. Antiq.*, SATURNALIA.

41. Cethego nimium id longum videretur. Compare Sall. 43.

42. Videretur. So Orelli, Süpfle, and Madvig: Steinmetz and Klotz read *videri.*

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43. Tabellas proferri jussimus, sc. by the prætor Flaccus. See Sall. 44.

44. Quæ .... dicebantur datæ. See Z. 607.

31

1. Cognovit. Sall. 47, uses the same verb where we might have expected, as here, *agnoscere*.—*Linum incidimus.* See note on p. 29, line 41. Klotz reads *legimus literas.*

4. Recepissent = *promisissent.* Klotz reads *orare, ut illi facerent, quæ sibi eorum legati præcepissent.*

CH. V.—**5. Aliquid tamen.** *Tamen = although his guilt was manifest, he nevertheless,* &c. So Fam. 16, 11: *Nobis inter has turbas senatus tamen frequens flagitavit triumphum* (i. e. quamquam hæ turbæ erant). Att. 1, 16: *quum illum plumbeo gladio jugulatum iri tamen diceret* (i. e. quamquam plumbeo), *though it was but a leaden sword.*

6. Qui .... respondisset. *P. C.* 484. In this line Klotz and Madvig read *apud se* for *apud ipsum.*

8. Conscientia convictus. Cf. 2 *Cat.* 6, 13.

13. Avi tui. P. Lentulus, the *princeps Senatus,* who was consul with Cn. Domitius, A. U. C. 592.

27. Dicendi exercitatio. He gives a very different opinion, *Brut.* 66: *Neque multo secus P. Lentulus, cujus et excogitandi et loquendi tarditatem tegebat formæ dignitas, corporis motus plenus et artis et venustatis, vocis et suavitas et magnitudo.* This, however, is a critical judgment: in addressing the people he adopts *their* opinion; for the advantages above enumerated are highly valued by them (M.); and the adoption of this opinion gives more force to the proof of his guilt afforded by his loss of presence of mind, &c.

32. Dicebat. In what mood does Cicero often put the *verbum dicendi* in such clauses? Z. 551, and compare *Phil.* 2, 4, 7.

33. Perturbatus ..... tamen. To what does *tamen* refer? Would it be proper to express *quamquam* with *perturbatus?* Z. 635, and *Note.*

34. Qui sim, &c. The letter in Sallust (ch. 44) is somewhat different: *Qui sim, ex eo, quem ad te misi, cognosces. Fac cogites, in qua calamitate sis, et memineris te virum esse: consideres quid tuæ rationes postulent: auxilium petas ab omnibus, etiam ab infimis.* Matthiæ observes, that in ancient times neither orators nor historians hesitated to alter the words of a speech, letter, &c., provided they preserved the sense. Whether *qui sim* or *quis sim* should be the reading is questioned. See Z. 134, *Note.*

35. Misi. On the tense, see Z. 503.

40. Insimulabant. "Donat. ad Terent. Phorm. 2, 3, 12: hunc locum affert, ut probet *insimulare* non modo de *falso,* sed etiam de *vero* nomine dici." Garat.—*Ac mihi quidem,* &c. Sæpe occurrit

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31 formula *ac mihi quidem videtur.* Opinionem cum quadam conclusione adjungit continuatæ rei expositioni. Hand, i. 503.

43. Color, oculi, vultus, taciturnitas. A peculiarity in the punctuation, which Orelli, whose text is here given, adopts, will have been before noticed. Words are often paired or grouped which would seem to require separation by commas. Attention is here called to the point lest the student should suppose that *oculi* and *vultus* are genitives, as *vultus* is carelessly so printed in the English copy.

32 **1. Inter se adspiciebant,** "*looked at each other.*" So *inter se diligere,* &c. So Nat. D. 1, 44, 122: *qui nulla re egentes et inter se diligunt.* Læl. 22, 82: *neque solum colent inter se ac diligent.* Z. 300.

Ch. VI.—**5. Principibus.** By this we may understand the consuls elect, consulares, and prætors. On the order in which the question was put to the senators, see *Dict. Antiq.*, Senatus.

6. Sine ulla varietate. "Pro Sext. 34, 74: *quum fieret sine ulla varietate discessio,* i. e. quum in eamdem omnes omnino sententiam discederent." M.

14. A suis et rei publicæ consiliis. *Consilia rei publicæ* = *consilia de republica;* as *deorum opinio* = opinio de diis. Nat. D. 1, 12, in. 2, 5, in. 3, 7, in. Tusc. 1, 13, 30; *quæstio animorum,* Tusc. 1, 11, 23 = qu. *de animis. Ætnensium oratio,* Verr. 3, 44, 106 = *or.* de Ætnensibus. M. Benecke prefers, measures or plans which the state had adopted for the suppression of the conspiracy.

16. In custodiam. Εἰς ἄδεσμον φυλακὴν, Plut. c. 19, which was called *libera custodia.* Sall. c. 47: *Sen. decernit, uti abdicatus magistratu Lentulus, item ceteri, in liberis custodiis haberentur. Itaque Lentulus P. Lentulo Spintheri, qui tum ædilis, Cethegus Q. Cornificio, Statilius C. Cæsari, Gabinius M. Crasso, Cæparius (nam is paulo ante ex fuga retractus) Cn. Terentio senatori traduntur.* M.

19. Ad sollicitandos pastores. *Cæparius Tarracinensis, qui in Apuliam ad concitanda servitia proficisci parabat .... cognito indicio ex urbe profugerat.* Sall. 46. M.

20. Ex iis colonis, quos. Klotz reads *ex iis coloniis, quas.*

24. Perductos. Sall. 40, uses the same word. M.

27. Novem hominum perditissimorum pœna. Only *five* were seized. Cf. Cic. *pro Sulla,* 11, 33: *Meis consiliis, meis laboribus, mei capitis periculis, sine tumultu, sine delectu, sine armis, sine exercitu, quinque hominibus comprehensis atque confossis, incensione urbem, internecione cives, vastitate Italiam, interitu remp. liberavi.* M.

29. Supplicatio. See *Dict. Antiq.*, Supplicatio.

31. Quod mihi primum .... contigit. *Phil.* 2, 6, init. *L. Cotta, vir summo ingenio summaque prudentia, rebus iis gestis, quas tu reprehendis, supplicationem decrevit verbis amplissimis*

eique illi ipsi, quos modo nominavi, consulares senatusque cunctus assensus est, qui honos post conditam hanc urbem habitus est togato ante me nemini. So *Fam.* 15, 4, 11, to Cato: *tu idem mihi supplicationem decrevisti togato, non, ut multis, re publica bene gesta, sed, ut nemini, re publica conservata.* It has been inquired how the decree could have spoken of Cicero's saving Italy from a war. Klotz replies, from a war with the Allobroges, whom the conspirators would have brought into Italy. Compare Cicero's own words, quoted above: *Meis consiliis, meis laboribus, mei capitis periculis .... incensione urbem, internecione cives, vastitate Italiam, interitu rem publicam liberavi.* 32

32. Quod urbem, &c. So *Fam.* 5, 2: *qui curiam cæde, urbem incendiis, Italiam bello liberasset.* Observe the *chiastic* arrangement in this sentence, which is quite common where the sentence consists, as this does, of three clauses; the 1st and 2d, and the 2d and 3d are mutually arranged under this figure.

34. Supplicationibus. The repetition of this word after *ceteris* and of *religione* below with *ea*, is expressive of the emphasis which Cicero attaches to the words.—*Hoc intersit.* "Ern. monet, modestius hoc esse, quam Grævii *interest.* τοῦτο διαφέροι ἄν. Cf. infra, § 22. Sed respondet etiam verbis *si conferatur.*" M.

37. Factum atque transactum est. This was a regular phrase used by lawyers, in contracts, deeds, &c., to express that all the necessary steps had been taken, and that the transaction was concluded. Hence it is adopted by other writers: e. g. Ter. *Andr.* 1, 5, 13: *quot modis contemptus, spretus? facta, transacta omnia. hem!* M.—*Nam P. Lentulus,* &c. The *nam* is explanatory. Cicero begins to explain how all the proper preliminary steps had been taken.

38. Patefactus. Klotz reads *patefactis.*

40. Magistratu se abdicavit. Not willingly, but of necessity. 4 *Cat.* § 5. Magistrates, from regard to the public service, were exempt from criminal prosecution, during the term of their office, unless they permitted the prosecution, or voluntarily abdicated, or were by controlling circumstances compelled to abdicate. Observe that the regular classical construction is *abdicare se aliqua re.* The historians after Sallust use also *abd. aliquid.*—*Quæ religio .... non fuerat, quo minus. Religio est* = a scruple or doubt hinders or deters, is construed with *quo minus* and the subjunctive, according to *P. C.* 94; Z. 543. Translate, That from the scruple which had not deterred Marius from putting to death, &c.

41. C. Glauciam. C. Servilius Glaucia. Cf. 1 *Cat.* 2, 4. See Schmitz, *Rome*, p. 349.

CH. VII.—**1. Captos .... tenetis.** Cf. *constrictam .... teneri,* 1 *Cat.* § 1. 33

3. Opes = auxilia, praesidia, posita in multitudine sociorum.

Page 33 **4. Quum .... pellebam .... providebam.** Cf. § 3: *quum ... ejiciebam .... putabam.* Klotz and Madvig read *depellebam.*

6. Lentuli somnum. *Somnus* here = *somnolentia:* so 2 *Cat.* 5, 10, *dormiens* for *somnolentus.* Ernesti. But the pupil must understand that *somnus* does not *express* "somnolence," but that the orator uses the *effect* for the *habit,* to point out Lentulus as *then* under the influence of his habitual somnolence.—*L. Cassii adipes* = *obesitatem et, quæ inde oriri solent, inertiam atque ignaviam.* Ascon., on the *Or. in Toga Candida,* says: "Cassium, qui iners ac stolidus tum magis quam improbus videretur, post paucos menses in conjuratione Catilinæ esse apparuit, ac cruentissimarum sententiarum fuisse auctorem."

7. Cethegi furiosam temeritatem. Sall. 43: *Cethegus semper querebatur de ignavia sociorum; .... se .... si pauci adjuvarent, languentibus aliis, impetum in curiam facturum. Natura ferox, vehemens, manu promptus, maximum bonum in celeritate putabat.* M.

8. Dum mœnibus ... continebatur. See 1 *Cat.* 5, 10; 2 *Cat.* 8, 17.—On *dum* = quamdiu, see Z. 507, *a.*

9. Omnium aditus tenebat. Cf. *Æn.* 4, 423: *sola viri molles aditus et tempora noras.* M.

10. Poterat, audebat. Z. 783.

11. Ad facinus aptum. Is *ad* or the dative more common with *aptus?* When is the dative necessary? Z. 409.—*Lingua* = ars persuadendi; *manus* = agendi facultas.

12. Jam = deinde, porro. See note on page 21, line 18.—*Certos homines,* i. e. spectatæ fidei, reliable, trustworthy.

13. Quum ... mandaverat. Z. 579. *Quum,* with the pluperfect indicative of repeated actions, is more common in the older writers, Cicero, Cæsar, Sallust; others prefer the subjunctive. What tense is found in the *apodosis?*

14. Occurreret requires *cui non* instead of *quod non.* The relative is sometimes used but once with several verbs of different constructions. The proper case must therefore be supplied with each verb. *Occurrere* here = to hasten to meet for the purpose of aiding: below, line 28, for the purpose of opposing.

15. Tam acrem, sc. ad agendum: *paratum* = promptum consilio, manu.

20. A cervicibus .... depulissem. Z. 94. *Depellitur* quod locum jam tenet, ut febris corpore, alia, *repellitur,* quod appropinquat et instat, *pellitur,* omnino quidquid loco movetur; *pellitur* hostis in acie stans, *repellitur* irruens, *depellitur* præsidium colle. Madvig.

22. Commisisset, ut. *P. C.* 479. It is only used with reference to some *unpleasant* result.

23. Testes. Klotz, *testes denique,* referring to the Allobroges.

27. Hanc diem. On the gender, see Z. 86, *Note.*

29. Dimicandum . . cum illo fuisset. Though (*scripturus*)

fui, (*scribendum*) *fuit*, &c., are the *usual forms, the subj. is also found;* e. g. thus *C. Fam.* 2, 8, 21: *etiam si obtemperasset auspiciis, idem eventurum fuisset;* and Krüger remarks that even *concinnity* with *neque .... liberassemus* requires it here. See Z. 519, *a.*

30. Quum ille .... esset. Klotz, *dum ille .... fuisset.*

Ch. VIII.—**33. Quamquam** is corrective. 1 *Cat.* 9, 22. As if he had before spoken too strongly, Cicero now adds that he was only the instrument; the gods were the real deliverers; and then by enumerating the various prodigies by which they had given warning of the threatening dangers, he endeavors to work upon the minds of the superstitious people.

35. Quum .... possumus .... tum vero. Z. 723.

36. Humani consilii. Z. 448. Klotz reads, *quod vix videretur humanis consiliis tantam molem rerum gubernatio consequi potuisse.*

37. Præsentes. Cf. 2 *Cat.* 9, 19.

38. Temporibus. See note on p. 15, line 31.

39. Visas, agreeing with the nearest substantive.

40. Faces. In *De Divinatione*, 1, c. 11, &c., Quintus Cicero quotes his brother's verses on the subject; among which are the lines,—

> *Quid vero Phœbi fax, tristis nuntia belli,*
> *Quæ magnum ad columen flammato ardore volabat,*
> *Præcipites cœli partes obitusque petisset?*

Dio Cassius, 37, 25, says, *κεραυνοί τε ἐν αἰθρίᾳ πολλοὶ ἔπεσον, καὶ ἡ γῆ ἰσχυρῶς ἐσείσθη, εἴδωλά τε πολλαχόθι ἀνθρώπων ἐφαντάσθη, καὶ λαμπάδες ἀνεκὰς ἐς τὸν οὐρανὸν ἀπὸ τῶν δυσμῶν ἀνέδραμον.* Jul. Obseq. c. 122: *trabs ardens ab occasu ad cœlum extenta.* M.—*Ut ..... jactus, ut ..... motus ceteraque.* Supply *omittam.*

41. Ceteraque. *Que* (= ut in unum contraham), "*and in short.*" (Görenz.) M.

44. Neque prætermittendum neque relinquendum est. The former of an unintentional, the latter of an intentional omission. *Off.* 3, 2, 9: *Negant, eum locum a Panætio prætermissum, sed consulto relictum.* Cf. *Or.* 2, 29, 126; *Tusc.* 1, 49, 119. M.

1. Cotta et Torquato consulibus, A. U. C. 689. Dio Cass. 37, 9, p. 117: *ἐπὶ μὲν οὖν τούτοις ἔχαιρον οἱ Ῥωμαῖοι, τὰ δὲ δὴ τέρατα καὶ πάνυ αὐτοὺς ἐθορύβει· ἐν γὰρ τῷ Καπιτωλίῳ ἀνδριάντες τε πολλοὶ ὑπὸ κεραυνῶν συνεχωνεύθησαι καὶ ἀγάλματα ἄλλα τε καὶ Διὸς ἐπὶ κίονος ἱδρυμένον, εἰκών τέ τις λυκαίνης σύν τε τῷ Ῥώμῳ καὶ σὺν τῷ Ῥωμύλῳ ἱδρυμένη ἔπεσε, τά τε γράμματα τῶν στηλῶν, ἐς ἃς οἱ νόμοι ἐσεγράφοντο, συνεχύθη καὶ ἀμυδρὰ ἐγένετο.* The following is Cicero's poetical account of these prodigies (*De Divin.* 1, 12):

> *Nunc ea, Torquato quæ quondam et Consule Cotta*
> *Lydius ediderat Tyrrhenæ gentis haruspex,*
> *Omnia fixa tuus glomerans determinat annus.*
> *Nam pater altitonans, stellanti nixus Olympo,*
> *Ipse suos quondam tumulos ac templa petivit,*

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Et Capitolinis injecit sedibus ignes.
Tum species ex ære vetus generosaque Nattæ,
Concidit, elapsæque vetusto numine leges;
Et Divum simulacra peremit fulminis ardor,
Hic silvestris erat, Romani nominis altrix,
Martia, quæ parvos Mavortis semine natos
Uberibus gravidis vitali rore rigabat:
Quæ tum cum pueris flammato fulminis ictu
Concidit, atque avulsa pedum vestigia liquit.
Tum quis non, artis scripta ac monumenta volutans,
Voces tristificas chartis promebat Etruscis?
Omnes civili generosa stirpe profectam
Vitare ingentem cladem pestemque monebant;
Vel legum exitium constanti voce ferebant;
Templa Deumque adeo flammis urbesque jubebant
Eripere, et stragem horribilem cædemque vereri:
Atque hæc fixa gravi fato ac fundata teneri;
Ni post, excelsum ad columen formata decore,
Sancta Jovis species claros spectaret in ortus:
Tum fore, ut occultos populus sanctusque Senatus
Cernere conatus posset, si, solis ad ortum
Conversa, inde patrum sedes populique videret.
Hæc, tardata diu species, multumque morata,
Consule te tandem celsa est in sede locata:
Atque una fixi ac signati temporis hora
Juppiter excelsa clarabat sceptra columna;
Et clades patriæ, flamma ferroque parata,
Vocibus Allobrogum patribus populoque patebat.



2. In Capitolio. Where was the temple of Jupiter and other temples?—*Percussas*, with lightning.

3. Depulsa. This word implies a displacing, *dejectæ* in the next line, a throwing down or overturning. See Nepos, *Alcib.* 3, 2.

4. Legum æra. The laws in the earliest period were engraved on tablets of wood; soon afterwards, however, on tablets of brass, and set up in some public place, most frequently in a temple, especially in and around the temple of Jupiter on the Capitol, and in the Ærarium Saturni.

5. Tactus est = afflatus leviter fulmine ut explicat Serv. ad Virg. *Buc.* 1, 17; *Æn.* 2, 649.

6. Quem inauratum. Liv. 10, 23, de A. U. C. 458, *Cn. et Qu. Ogulnii ædiles curules—ad ficum Ruminalem* (quæ erat in comitio prope curiam) *simulacra infantium conditorem urbis sub uberibus lupæ posuerunt.* M.

7. Fuisse meministis. So above, *memoria tenetis . . . percussas.* With what tense of the infinitive is *memini* joined? Z. 589.

8. Haruspices. See *Dict. Antiq.*, HARUSPICES.

13. Ludi, sc. scenici. Cf. Liv. 7, 2: *Ludi quoque scenici, ... inter alia cœlestis iræ placamina instituti dicuntur.—Et .... neque.* Z. 338.

14. Ad placandos. So Orelli, Klotz and Madvig. Others *ad placandum deos.* Cf. Z. 666.

15. Iidemque jusserunt. Dio Cass. l. c. *τά τε οὖν ἄλλα ἐξεθύοντο τοῖς μάντεσι πειθόμενοι, καὶ τῷ Διῒ ἄγαλμα μεῖζον πρός τε τὰς ἀνατολὰς καὶ πρὸς τὴν ἀγορὰν βλέπον, ὅπως αἱ συνωμοσίαι, ὑφ' ὧν ἐταράττοντο, ἐκφανεῖεν, ἱδρυνθῆναι ἐψηφίσαντο.* M. See the lines quoted above, from *Tum quis* to *videret.* Is *jusserunt .... facere* the regular construction? Z. 617.—*Simulacrum Jovis. De Divin.* 2, 20: *Eo ipso tempore quo fieret indicium conjurationis in Senatu, signum Jovis biennio post, quam erat locatum, in Capitolio collocabatur.* Böttiger, according to Orelli, has proved that this was a piece of Cicero's clever contrivance to strike the people with religious awe.

16. Contra, atque. Z. 340, *Note.*

18. Fore, ut .... illustrarentur. Z. 594.

21. Collocandum .... locaverunt. Contracted to have it so placed. See Z. 653.

CH. IX.—**30. Et ea.** Z. 699. Others read *comparari a perditis civibus, &c.*

34. Ut, quum hodierno die. "Debebat cohærere cum *illud nonne ita præsens est, quod, quum hod. d.* sed, quando *factum est, accidit,* &c. præcedit, semper fere ad hoc refertur *ut.* ad Fam. 5, 2, *addam illud etiam, quod jam ego curare non debui, sed tamen fieri non moleste tuli, atque etiam, ut ita fieret, pro mea parte adjuvi, ut senatus consulto meus inimicus, quia tuus frater erat, sublevaretur. Verr.* 2, 65, 158: *de quo homine hoc auditum est unquam, quod tibi accidit, ut ejus in provincia statuæ dejicerentur?* Cf. *pro l. Man.* § 25. Dio Cass. 37, 34, p. 133, ubi Lentulum prætura se abdicare coactum et cum reliquis in custodiam traditum narravit: *καὶ ταῦτα,* inquit, *καὶ τῷ δήμῳ ὁμοίως ἤρεσε, καὶ μάλιστα ἐπειδὴ, τοῦ Κικέρωνος δημηγοροῦντός τι περὶ αὐτῶν, τὸ ἄγαλμα τὸ τοῦ Διὸς ἔς τε τὸ Καπιτώλιον παρ' αὐτὸν τὸν καιρὸν τῆς Ἐκκλησίας ἀνιδρύθη καὶ κατὰ τὴν ὑφήγησιν τῶν μάντεων πρός τε τὰς ἀνατολὰς καὶ πρὸς τὴν ἀγορὰν βλέπον ἀνετέθη· ἐπειδὴ γὰρ ἐκεῖνοι συνωμοσίαν τινὰ ἐξελεγχθήσεσθαι ἐκ τῆς τοῦ ἀγάλματος πτώσεως εἰρήκεισαν καὶ ἡ ἀνάθεσις αὐτοῦ τοῖς φωραθεῖσι συνέβαινε τό τε θεῖον ἐμεγάλυνον καὶ τοὺς τὴν αἰτίαν λαβόντας δι' ὀργῆς μᾶλλον ἐποιοῦντο.* M. Cf. the vv. above, from *hæc tardata diu* to the end.

35. Per forum. According to Matthiæ, Cicero then occupied the house which he bought of Crassus; so that *the forum* lay between it and the *Temple of Concord.* Middleton describes it thus:—"About the time of this trial [*pro Sulla,* which, however, was *after* his consulship], Cicero bought a house of M. Crassus, on the Palatine hill, adjoining to that in which he had always lived with his father, and

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34 which he is now supposed to have given up to his brother Quintus The house cost him near thirty thousand pounds, and seems to have been one of the noblest in Rome; it was built about thirty years before by the famous tribune, M. Livius Drusus; on which occasion we are told, that when the architect promised to build it for him in such a manner, that none of his neighbors should overlook him: but if you have any skill, replied Drusus, contrive it rather so, that all the world may see what I am doing. It was situated in the most conspicuous part of the city, near to the centre of all business, *overlooking the forum and the rostra;* and what made it the more splendid, was its being joined to a portico or colonnade, called by the name of Catulus, who built it out of the Cimbric spoils, on that area where Flaccus formerly lived, whose house was demolished by public authority for his seditious practices with C. Gracchus." Middleton.

43. Si me .... dicam .... sumam. *P. C.* 445.

44. Ille, ille Juppiter. Cf. 1 *Cat.* 13, 33.

35 **4. Jam vero, &c.** Orelli's mark † before the *sic* is intended to signify that the passage is ungrammatical, and probably corrupt. Matthiæ explains it thus:—The regular construction would have been *jam vero illa Allobr. sollicitatio a Lentulo tam temere suscepta nunquam fuisset, nec tanta res tam dementer credita et ignotis et barbaris*, &c., but the occurrence of *tanta res*, which embraces the *sollicitatio* and all its attendant circumstances, leads him to use *one predicate* (the *nunquam credita esset*) of both.—It is better, I think, to stop the passage thus (with Klotz): *Jam vero illa Allobrogum sollicitatio sic a P. Lentulo ceterisque domesticis hostibus, tam dementer tanta res, credita et ignotis*, &c. The *sollicitatio Allobrogum* is not the *tampering with the ambassadors of the Allobroges*, but the attempt to induce the *nation* of the *Allobroges* to rise up against the senate. This very important and dangerous mission, that of inducing the *Allobroges* to rebel, was intrusted to the *ambassadors* of the state, who were then at Rome, *et ignoti et barbari*. In voc. *sic* videtur subesse participium hac orationis forma: suscepta a P. Lent.—tam dementer, tanta, &c. Madvig.

9. Civitate male pacata. Cf. *Orat. de Prov. Cons.* 13: *Modo ille meorum laborum, periculorum, consiliorum socius, C. Pomptinus, fortissimus vir, ortum repente bellum Allobrogum atque hac scelerata conjuratione excitatum, prœliis fregit eosque domuit, qui lacessierant; et ea victoria contentus, re publica metu liberata quievit.* Liv. *Epit.* 103: *C. Pomptinus prætor Allobroges, qui rebellaverant, ad Solonem* (Torre di Sole) *domuit*, A. U. C. 693. O.

14. Præsertim qui = *præsertim quum illi.*

15. Superare potuerunt. [125.] "Ex nostra consuetudine scribendum esset *potuissent*, sed hoc interest inter nostram et Latinorum consuetudinem, quod nos *conditionem aliquam suppressam* cogitare

solemus, Latini non solent. Itaque semper fere dicunt: *multos commemorare possum*, non *possim*, ut *De Nat. D.* 1, 36, 101, *quæ vel sine magistro facere potuerunt. Orat.* 9, § 32 (cf. *Or.* 2, 32, 139), non *potuissent*. Quæ consuetudo quum semel invaluisset, etiam ubi *si* cum conj. sequebatur, indicativum verbi *posse* ponebant, ut *pro Quint.* 13, 43, *at, si id velles, jampridem actum esse poterat.* Cf. *Verr.* 3, 31, 73. Sic *Verr.* 3, 49, 71, *multo enim pluris fructus annui Siciliæ venire* potuerunt, *si id te senatus aut pop. Rom. facere* voluisset. Cf. *ad Fam.* 13, 29, 14; *pro Flacc.* 5, 12, *etenim* potest *esse infinita* (oratio), *si mihi* libeat. Cf. *ad Manil.* c. 17. Recte igitur hanc lectionem contra Ern., qui *superarent* recepit, tuetur Gœrenz. . . . ceterum in eo falsus, quod post *qui*, quando pro *quia is* ponatur, *indicativum* etiam sequi contendit. Imo ubi Latini causam plane et diserte exprimi volunt, semper conjunctivo post *qui* utuntur: sed non semper *necesse* est *causam diserte exprimi*, ut *Phil.* 3, 6, 14. *Si ille consul, fustuarium meruerunt legiones qui consulem* reliquerunt; *sceleratus Cæsar, Brutus nefarius, qui contra consulem privato consilio exercitus* comparaverunt; membra, quæ a *qui* incipiunt, causam continere apparet, cur illi scelerati ac nefarii appellentur, sed non necesse putavit Cic. h. l. causam significare." M. Madvig, however, from conjecture, reads *potuerint.*

CH. X.—**16. Ad omnia pulvinaria** = in omnibus templis. *Pulvinaria* were couches provided for the purpose of a lectisternium. See *Dict. Antiq.*, LECTISTERNIUM; Arnold's Nepos, *Tim.* 2, 2.

17. Celebratote. The imperative forms in *to, tote* are *stronger* than the forms in *a, ate*, implying that the thing ordered is a *duty* either always, or under the circumstances. It is obvious from this, that they are (1) the natural form for *laws*. They are also (2) used in *emphatic requests* and *exhortations;* and (3) in *emphatic permissions*, granted by one who has the *right* to forbid the action or *power* to prevent it. See, however, Z. 583 and *Note.*—Processions of boys, matrons, and maidens, crowned with garlands, and singing hymns in honor of the gods, formed part of such celebrations. They lasted commonly for three or five days.

21. Et erepti. Z. 717.

22. Togati . . . . togato duce. Cf. 2 *Cat.* 13, 28, and note on p. 27, line 25.

23. Recordamini. *Recordari* very rarely takes the genitive, but usually the accusative of the thing; and of a person regularly the ablative with *de.* See Z. 439, 440.

24. Non solum . . . sed. Z. 724.—*Quas audistis.* The early contests between the patricians and plebeians, and the disturbances occasioned by the Gracchi and Saturninus are meant.

25. L. Sulla P. Sulpicium oppressit. [A. U. C. 666.] *Quum P. Sulpicius tribunus plebis, auctore C. Mario, perniciosas leges*

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35 *promulgasset, Ut exsules revocarentur, et novi cives libertinique distribuerentur in tribus, et Ut C. Marius adversus Mithridatem Ponti regem dux crearetur, et adversantibus consulibus Q. Pompeio et L. Sullæ vim intulisset, occiso Q. Pompeio consulis filio, genero Sullæ; L. Sulla consul cum exercitu in urbem venit, et adversus factionem Sulpicii et Marii in ipsa urbe pugnavit, eamque expulit: ex qua duodecim a senatu hostes, inter quos C. Marius pater et filius judicati sunt. P. Sulpicius, quum in quadam villa lateret, indicio servi sui retractus et occisus est. Servus, ut præmium promissum indici haberet, manumissus, et ob scelus proditi domini de saxo dejectus est. C. Marius filius in Africam trajecit. C. Marius pater, quum in paludibus Minturnensium lateret, extractus est ab oppidanis: et quum missus ad occidendum eum servus, natione Gallus, majestate tanti viri perterritus recessisset, impositus publice in navim delatus est in Africam. L. Sulla civitatis statum ordinavit: exinde colonias deduxit. Q. Pompeius consul, ad accipiendum a Cn. Pompeio proconsule exercitum profectus, consilio ejus occisus est. Mithridates, Ponti rex, Bithynia et Cappadocia occupatis, et pulso Aquilio legato, Phrygiam, provinciam populi Romani, cum ingenti exercitu intravit.* Liv. *Epit.* 77. See Schmitz, *Rome*, p. 357, foll.

26. Ex urbe ejecit. Madvig brackets these words.—*Custodem hujus urbis.* On account of the defeat and destruction of the Cimbri and Teutoni. Cf. 4 *Cat.* § 21; Schmitz, *Rome*, pp. 344–49.

28. Cn. Octavius, consul. [A. U. C. 667.] *L. Cornelius Cinna, quum perniciosas leges per vim atque arma ferret, pulsus urbe a Cn. Octavio collega, cum sex tribunis plebis: imperioque ei abrogato, corruptum Ap. Claudii exercitum in potestatem suam redegit, et bellum urbi intulit, arcessito C. Mario ex Africa cum aliis exsulibus: in quo bello duo fratres, alter ex Pompeii exercitu, alter ex Cinnæ, ignorantes concurrerunt: et, quum victor spoliaret occisum, agnito fratre, ingenti lamentatione edita, rogo ei exstructo, ipse supra rogum se transfodit, et eodem igni consumptus est. Et quum opprimi inter initia potuissent, Cn. Pompeii fraude, qui, utramque partem fovendo, vires Cinnæ dedit, nec nisi profligatis optimatium rebus auxilium tulit, et consulis segnitie confirmati Cinna et Marius quattuor exercitibus, ex quibus duo Q. Sertorio et Carboni dati sunt, urbem circumsederunt. Ostiam coloniam Marius expugnavit, et crudeliter diripuit.* Liv. *Epit.* 79. Schmitz, *Rome*, p. 360, foll.

29. Omnis hic locus. The forum, where the conflict between Octavius and Cinna had taken place. *Hic* δεικτικῶς.

30. Cinna cum Mario. *Italicis populis a senatu civitas data est. Samnites, qui soli arma retinebant, Cinnæ et Mario se conjunxerunt. Ab iis Plautius cum exercitu cæsus est. Cinna et Marius cum Carbone et Sertorio Janiculum occupaverunt, et fugati ab Octavio consule recesserunt. Marius Antium, et Ariciam, et Lanu-*

vium colonias devastavit. Quum nulla spes esset optimatibus resistendi propter segnitiem et perfidiam et ducum et militum, qui corrupti aut pugnare nolebant, aut ad diversas partes transibant, Cinna et Marius in urbem recepti sunt: qui, velut captam, eam cædibus et rapinis vastarunt, Cn. Octavio consule occiso, et omnibus adversæ partis nobilibus trucidatis, inter quos M. Antonio eloquentissimo viro, L. et C. Cæsare, quorum capita in Rostris posita sunt. Crassus filius ab equitibus Fimbriæ occisus: pater Crassus, ne quid indignum virtute sua pateretur, gladio se transfixit. Et citra ulla comitiâ consules in sequentem annum se ipsos renuntiaverunt: eodemque die, quo magistratum inierant, Marius Sex. Licinium senatorem de saxo dejici jussit; editisque multis sceleribus, Idibus Januariis decessit: vir, cujus si examinentur cum virtutibus vitia, haud facile sit dictu, utrum bello melior, an pace perniciosior fuerit: adeo, quam rem publicam armatus servavit, eam primo togatus omni genere fraudis, postremo armis hostiliter evertit. Liv. *Epit.* 80.

33. Deminutione civium. [A. U. C. 672.] *Sulla Carbonem, exercitu ejus fuso ad Clusium, ad Faventiam Fidentiamque cæso, Italia expulit: cum Samnitibus, qui soli ex Italicis populis nondum arma posuerant, juxta urbem Romanam ante portam Collinam debellavit: recuperataque re publica, pulcherrimam victoriam crudelitate, quanta in nullo hominum fuit, inquinavit. Octo millia deditorum in villa publica trucidavit: tabulam proscriptionis proposuit: urbem ac totam Italiam cædibus replevit: inter quas omnes Prænestinos inermes concidi jussit: Marium, senatorii ordinis virum, cruribus brachiisque fractis, auribus præsectis, et effossis oculis, necavit. C. Marius, Præneste obsessus a Lucretio Ofella, Sullanarum partium viro, quum per cuniculum captaret evadere, sæptus ab exercitu, mortem sibi conscivit, id est, in ipso cuniculo, quum sentiret se evadere non posse, cum Pontio Telesino, fugæ comite, stricto utrimque gladio, concurrit: quem quum occidisset, ipse saucius impetravit a servo, ut se occideret.* Liv. *Epit.* 88. Florus, 3, 21, 24: *Minus est, quod apud Sacriportum* (Latii portum) *et apud Collinam portam septuaginta amplius milia Sulla concidit; bellum erat. Quattuor milia deditorum inermium civium in villa publica interfici jussit.—Quis autem illos potest computare, quos in urbe passim, quisquis voluit, occidit? donec admonente Furfidio, vivere aliquos debere, ut essent quibus imperaret, proposita est ingens illa tabula, et ex ipso equestris ordinis flore ac senatus duo milia electi, qui mori juberentur.* Cf. *C. pro S. Roscio Am.* 32. O. See Schmitz, *Rome*, p. 364, foll.

34. Dissensit M. Lepidus a Q. Catulo. [*M. Æmilius Lepidus: θρασὺς ἀνὴρ καὶ πολέμιος καὶ ἐμπληκτικώτατος,* Plut. *Sull.* 34. Consul, A. U. C. 676. O.] *Sulla decessit, honosque ei a senatu habitus est, ut in campo Martio sepeliretur. M. Æmilius Lepidus, quum*

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35 *acta Sullæ tentaret rescindere, bellum excitavit, et a Q. Catulo collega Italia pulsus est: et in Sardinia, frustra bellum molitus, periit. M. Brutus, qui Cisalpinam Galliam obtinebat, a Cn. Pompeio occisus est. Q. Sertorius proscriptus in ulteriore Hispania ingens bellum excitavit. L. Manlius proconsul et L. Domitius legatus ab Hirtuleio quæstore prœlio victi sunt.* Liv. *Epit.* 90. Schmitz, *Rome*, p. 370, 71.

36. Ipsius, i. e. M. Lepidi.

37. Atque illæ tamen omnes. So Orelli, Klotz, Madvig. In some editions the reading is *atque illæ dissensiones, Quirites,* from *non illi* to *voluerunt* being parenthetical.

40. Se esse .... voluerunt. *P. C.* 149, *b*, note *r*.

42. Atque illæ tamen. Ernesti says that *tamen* here = *inquam, igitur* (as a particle of *resumption*), after a parenthesis; but M. properly remarks that it has not a *simple resumptive power*, but can only be used when the second portion of a sentence, interrupted by a parenthesis, contains a statement *opposed* to the *parenthetical* statement: e. g. here the force is,—*although those dissensions had for their object not the overthrow of the state, but a change of the constitution.* From *atque* in this line to *dijudicatæ sint*, Madvig includes in brackets.

36 **1. Post hominum memoriam maximo, &c.** Cf. 2 *Cat.* 13, 28. The expression is emphatic with reference to the milder term *dissensiones* just used for rhetorical effect.

2. Nulla unquam barbaria. Cf. *p. Arch.* 8, 19.

4. Cethego et Cassio. So Orelli and Klotz. Madvig, with others, *Cassio, Cethego.*

5. In hostium numero ducerentur. Z. 394, *Note* 3.

7. Tantum civium. See Z. 726.

8. Infinitæ cædi restitisset. "*Resistere cædi* eodem modo dicitur ut *resistere dolori;* i. e. non succumbere, sed hac adjuncta vi, ut sit fortitudine sua vel alia ratione efficere ne cæde infinita civium ipse etiam intereas." M.

10. Integros incolumesque = untouched and unhurt. *Incolumis* in opp. to being wounded, &c.; *integer* (from *tangere*) in opp. to being attacked. Död.

Ch. XI.—**12. Præmium virtutis ... insigne honoris.** Döring supposes he has in mind the honor of a triumph, as *in animis ego vestris omnes triumphos,* &c., follows directly after.

13. Præterquam hujus diei memoriam. Z. 735. Cf. 4 *Cat.* 11, 23.

16. Nihil .... mutum, e. g. a statue.

20. Eandemque diem, &c. This passage is probably corrupt. Matthiæ, after Muretus and Garatoni, makes *dies* = *tempus;* and explains it thus: "Eam a se, conjuratione oppressa, *propagatam* sive productam esse dicit, ut et salus urbis et memoria consulatus sui diu-

tius constaret." *Intelligo* = *video, arbitror.*—Bloch explains it nearly in the same way (both placing a comma after *fore*), *eandem diem, quam* [= cujus memoriam], *spero æternam fore, intelligo* (= video, arbitror) *propagatam* (= productam, effectu suo ad posteros prolatam. Cf. 2 *Cat.* c. 5: *meus consulatus .... multa secula propagarit rei publicæ*) *esse et ad salutem urbis* (quod ea hac die servata videtur) *et ad memoriam consulatus mei.*—*Intelligo* must be understood again before *uno: intelligoque uno tempore,* &c.; but Madvig is surely right in asserting that Cicero could not say *se intelligere uno tempore se et Pompeium exstitisse,* &c. He supposes the omission of some infinitive dependent on *intelligo,* and adopts the reading of the best MSS. *omni,* thus: *Omnique tempore* [*hoc prædicatum iri, simul*] *in hac re publica,* &c. Op. Academ. p. 192. In his second edition he reads *fore, propagatam esse et ad salutem* ... † *unoque,* &c.; then, adding what he supposes omitted, he suggests, omnique tempore (*sic codd. aliquot*) hoc prædicatum iri, uno tempore.—Klotz for *cives* reads *dies.*—My own opinion of the passage is this: As *propagare tempus, multa secula,* &c., *rei publicæ,* is, to grant it or procure for it an extended duration, &c., so *propagare diem* (rei publicæ) is to *extend the period of its duration;* and *eandem diem propagare* is to *grant the same extended duration* to two or more objects, &c. Hence the meaning would be: "*And I know that the same extended period .... and I hope it may be an unlimited one .... has been granted both for the safety of the state and for the remembrance of my consulship.*" Perhaps the clause, *unoque tempore exstitisse,* &c., is loosely connected with *ad memoriam consulatus mei* (i. e. *for the remembrance of my consulship,* and of the fact that *at the same time,* &c.)

24. Alter .. . cœli regionibus. *Alter* = *Pompejus.* Compare his panegyric on Pompey: *qui populi Romani imperium non terrarum regionibus sed cœli partibus terminavit* (frag. Orat. *de ære alieno Milonis,* 1, 4). O. Cf. also Virg. *Æn.* 1, 287: *imperium Oceano, famam qui terminet astris.*

25. Alter .... servaret. Cf. 4 *Cat.* 10, 21; 2 *Phil.* 5, 12; 1 *Off.* 22, 78.

CH. XII.—**28. Eadem .... quæ.** Z. 704.

29. Vivendum est. Klotz *cum his vivendum sit.*

31. Recte facta sua. Cf. *in Verr.* 4, 38, 82: *suarum rerum gestarum,* where Ernesti said, it must be *rerum a se gestarum;* but Zumpt quotes *p. Deiot.: tuæ res gestæ;* and *Brut.* 35: *de rebus gestis suis.* Matthiæ, on this passage, gives the following examples, including some where the *attributive* is a *genitive case. Ad Herenn.* 1, 14: *nisi quando pro eo dicimus, cujus multa recte facta constant. Verr.* 3, 80, 186: *nisi forte id egisti, ut hominibus ne oblivisci quidem rerum tuarum male gestarum liceret.* Liv. 28, 25: *suis recte factis gratiam qui exsolvat, non esse. Ad Fam.* 10, 8, in. *optimæ*

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36 *mentis cogitata jampridem, maturo tempore enuntiare.* *Pro Cluent.* 31, in. *qui alterius bene inventis obtemperat.*

32. Quando. When is *quando* used for "*ever*"? *P. C.* 402.—*Mentes .... ne .... possent.* Z. 356.

35. Mihi quidem ipsi .... noceri potest. Z. 412.

36. Magnum enim est. *P. C.* p. 255, 92.

38. Tacita defendet. "Quia, qui me lædet, is violandæ reip. animum prodet." Weiske.

39. Negligent .... volent .... indicabunt. Z. 509.

41. Nullius. What cases of *nemo* are not in use?

37 **3. Mihi quidem ..... acquiri.** *Ad Famil.* 3, 7: *postea vero quam ita et cepi et gessi maxima imperia, ut mihi nihil neque ad honorem, neque ad gloriam acquirendum putarem,* &c. Cf. *pro Sull.* 9, 27. M.

5. Quidquam .... altius. Z. 433.

6. Illud perficiam .... ut. Z. 618 and 748.

8. In conservanda re publica. Cf. note on p. 30, line 3, and page 25, line 5.

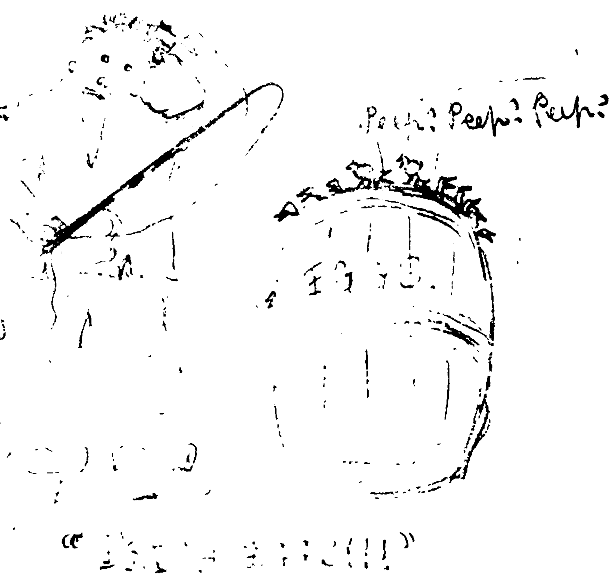
10. Meminerim .... curemque. Z. 221.

11. Ut ea virtute, non casu. *Ad Fam.* 5, 2: *hujus ego temeritati si virtute atque animo non restitissem, quis esset, qui me in consulatu non casu potius existimaret, quam consilio, fortem fuisse?* *Manut.* (*ap. M.*).

13. Vestrum. *Nostrum, vestrum* are seldom used objectively for *nostri, vestri.* *Vestrum* = of each individual of you.

16. Atque = sed potius. Compare note on p. 27, line 32.

17. Quirites is omitted by Madvig.



FOURTH ORATION AGAINST CATILINE.

ANALYSIS.

1. In the introduction Cicero thanks the senate for the kind feeling and concern which they had shown for his safety, and entreats them, without regard to his person, to consider only the welfare of the state. At the same time, aware of the dangers which threaten him, he testifies his anxiety for his family, and urges upon the senate continued watchfulness. (Ch. 1, § 1–5.)
2. The main proposition is, that the crime of the conspirators demands severe and speedy punishment. After again describing the magnitude of the crime he (*a*) states the different opinions in the senate respecting the punishment of the criminals,—that of Silanus for their punishment by death, and of Cæsar for their imprisonment for life; (*b*) he examines these two opinions, and while he praises the seemingly milder opinion of Cæsar as less hazardous, he defends that of Silanus as more advantageous to the state; (*c*) he refutes those who were afraid that the sentence of capital punishment could not be carried into execution, and shows that he has abundant resources for carrying it into effect, since all the orders of the state are ready to sustain him. (Ch. 3, § 5–ch. 8, § 17.)
3. In conclusion, he calls upon the senate to vote with decision and courage for the opinion of Silanus, expresses his satisfaction with the honors he has already attained, commends his family to the protection of the state, and asks no other return for the benefits he has conferred upon his country but its grateful recollection. (Ch. 8, § 17-end.)

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CH. I.—**2. Ora atque oculos.** Descriptive of the anxiety with which all were waiting to see which of the opinions respecting the punishment of the conspirators Cicero would favor.

3. Depulsum sit, sc. a vobis et a re publica, sumto de sociis Catilinæ supplicio.

5. Voluntas. *Kind feeling.* But as Cicero refers to this as prompting their *anxiety* for his welfare, he uses *deponite*, which properly refers to *sollicitudinem implied.* So M. '

12. Non forum, in quo omnis æquitas continetur. So *pro Mur.* § 31: *deque eo pauca disseram; neque enim causa in hoc continetur.* The usual meaning of *contineri in re* is *to be confined within any thing: contineri re = positum esse in re; ea servari, ex ea pendere.* Z. 452. Muretus remarks that Livy (40, 10) has imitated this passage, where he makes Perseus say, *Quo enim alio confugiam, cui non—domus, non epulæ, non nox ad quietem data naturæ beneficio mortalibus, tuta est?* Muret. V. L. 19, 14. Cf. *pro Mur.* § 82. M. Cicero calls the Forum the seat of justice because in it the courts of law were held.

13. Consularibus auspiciis consecratus. See *pro Mur.* 1.

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38 The *Campus Martius* was the place of holding the consular elections, at the commencement of which the auspices must be taken. Cf. 1 *Cat.* 5, 11.—*Non curia, &c.* Particularly the *curia Hostilia*, where the sittings of the senate were usually held. Cf. *p. Mur.* 39, 84: *in illo sacrario rei publicæ, in ipsa, inquam, curia non nemo hostis est.*

14. Non domus, &c. Cf. *pro domo*, 41, 109: *Quid est sanctius, quid omni religione munitius, quam domus uniuscujusque civium? .... hoc perfugium est ita sanctum omnibus, ut inde abripi neminem fas sit.*

15. Non lectus, &c. See 1 *Cat.* 4, 9.

16. Sedes honoris, sella curulis. Liv. 9, 46: *Flavius .... curulem afferri sellam eo jussit, ac sede honoris sui anxios invidia inimicos spectavit.* M. after Heum. Madvig reads *hæc sedes honoris unquam.* On the *sella curulis*, see *Dict. Antiq.*, Sella.—*Vacua .... periculo.* Z. 468. What preposition does it also take?

17. Atque. Cf. note on p. 16, line 15.—*Multa tacui.* "Videtur de multis potentibus intelligere, qui in suspicionem conjurationis vocabantur, Crasso, Cæsare, aliis." Muretus.

18. In vestro timore = "*quum in timore essetis.*" *In* is used to express the condition and present state of things, where otherwise the participle of a verb, or the conjunctions *quum, dum, si,* might be employed. Cf. 2 *Cat.* 8, 18: *magno in ære alieno;* 9, 20: *in insperatis .... pecuniis.*

21. Virginesque Vestales. Sall. 15, and note on p. 30, line 37.

22. Templa atque delubra. See 3 *Cat.* 1, 2.

26. Suum nomen. This was Cornelius. See 3 *Cat.* 4.—*Inductus a vatibus* = misled by the Haruspices. *Inducere* is often used in a bad sense of misleading, deceiving, corrupting.

39 **1. Ad salutem rei publicæ.** Steinmetz and Klotz read *ad sal. populi Romani,* and before *ad perniciem rei publicæ.*

Ch. II.—**3. Consulite vobis, prospicite patriæ.** Z. 414.

7. Omnes deos, qui .... præsident. The tutelary gods of Rome. Every city, according to the prevailing belief, had its tutelary deities, the names of which were often concealed, and their statues chained or otherwise fastened to prevent their being *evoked* by besieging or assailing enemies. Cf. Liv. 5, 21; Macrob. *Sat.* 3, 9.—*Pro eo mihi, ac mereor.* So *ad Fam.* 4, 5: *pro eo ac debui.* Z. 340, *Note.*

8. Relaturos esse gratiam. See note on p. 12, line 11.—*Si quid obtigerit.* A common euphemism = *si me vis aliqua oppresserit* in line 20. *Acciderit* is more commonly used, as *p. Mil.* § 36. Here, in declaring his willingness to die for his country, he chooses the more cheerful and emphatic word *obtigerit.* See *P. C.* 374, d.

9. Turpis mors. "Ea demum turpis est mors, quam qui oppetit, debilitatur ac frangitur animo, ignaveque et muliebriter se gerit. *Immatura* autem mors ea dici solet, quæ interrumpit institutum ad glo-

riam cursum. E Muret. not." Cf. Cic. *Phil.* 2, 46, 119: *Etenim si abhinc annos prope viginti hoc ipso in templo* (Concordiæ) *negavi posse mortem immaturam esse consulari, quanto verius nunc negabo seni?* M.

11. Fratris carissimi. Q. Cicero: his wife *Terentia;* his daughter Tullia; his little son Marcus (then not quite two years old).

13. Horumque omnium. Ernesti understands these words of the equites and other friends of Cicero, since *videtis* below refers to the senators.

15. Quem mihi videtur amplecti res publica tamquam obsidem. "Qui confirmet, me nihil gesturum in consulatu, nisi quod saluti sit reip. Nam qui liberos habent, non minus liberorum causa, quam sua, salvam remp. velle debent." Muret. Cf. Dionys. *Hal. Rhet.* p. 237, ed. Reiske: *ἐκ δὲ τούτου καὶ ἐντιμοτέρους ἀνάγκη γίνεσθαι τοὺς ἀνθρώπους καὶ πιστοτέρους δοκεῖν καὶ εὐνουστέρους περὶ τὰς αὐτῶν πατρίδας ἐν παντὶ, διὰ τὸ ὥσπερ ὅμηρα δεδωκέναι ταῖς πατρίσι τοὺς ἑαυτῶν παῖδας.* M. [Ahrens, Orelli, &c., who attack the genuineness of this oration, say that Cicero was now *Consul*, not a *vir consularis*, i. e. one who *had been Consul.* To this Klotz replies, that with respect to his general position in the state, he was one of those who had reached its highest honor, the Consulship; that if Cic. had said "*to a Consul,*" he would both have unnecessarily limited the truth, and made it too immediately applicable to himself; and that the concinnity of the sentence requires rather the adjective *consularis* than the substantive *consul: .... viro forti .... consulari .... sapienti.* He shows too that Cicero, in another place, uses *consularis* of *Consuls*, as well as of *Consulars*, when he speaks of them as a *class;* e. g. *Philipp.* 5, § 12; where, after mentioning several Consulars, he adds *D. Silano L. Murenæ, qui tum erant Consules designati; placuit idem, quod consularibus, M. Catoni,* &c., where even *Consuls elect* are called *consulares.*]

18. Gener. *C. Calpurnius Piso Frugi;* who died before his father-in-law's restoration, A. U. C. 697. He was not yet a senator, but must be supposed standing at the door of the Temple of Concord. Manut. Cf. Tacitus, *Annal.* 2, 37: *Hortalus—quatuor filiis ante limen curiæ adstantibus—ad hunc modum cœpit; P. C. hos, quorum numerum et pueritiam videtis, non sponte sustuli.* Klotz. For *adstat* Madvig reads *stat.—Moveor* = I *am* moved. Its position at the beginning of its clause points it out as the important and emphatic word in the sentence. See Z. 789, and compare below, line 27, *tenentur ii*, where a similar contrast of negative and affirmative statements occurs.

19. Sed in eam partem. The pronoun is here used in the restrictive sense, which is noticed with regard to *ita* and *tantus* in Z. 726.

20. Una rei publicæ peste. *Una pestis* = *pestis quæ omnes*

Page 39 *eodem tempore corripit.* See below, ch. 6, § 11: *uno incendio.* Grævius compares Statius, *Et populis mors una venit;* and Ovid, *Met.* 1, 721 (of the eyes of Argus): *centum oculos mors occupat una.* Matthiæ adds, C. *Off.* 2, 8, 27: *secutus est, qui—universas provincias regionesque uno calamitatis jure comprehenderet.*

21. Incumbite ad. See Z. 416. With what preposition is it more frequently construed in its figurative sense?

23. Ti. Gracchus. See Schmitz, *Rome*, pp. 332, 333.

24. C. Gracchus. See Schmitz, *Rome*, pp. 336–9.

25. Agrarios. On the agrarian laws consult *Dict. of Antiq.*, AGRARIAE LEGES.

26. C. Memmium. Liv. *Epit.* 69. *L. Appuleius Saturninus, adjuvante C. Mario, et per milites occiso A. Nonio competitore, tribunus plebis per vim creatus, non minus violenter tribunatum, quam petierat, gessit.—Idem Appuleius Saturninus tribunus plebis C. Memmium candidatum consulatus, quem maxime adversarium actionibus suis timebat, occidit. Quibus rebus concitato senatu, in cujus causam et C. Marius, homo varii et mutabilis ingenii consiliique semper secundum fortunam, transierat, quum eum tueri minime posset, oppressus armis cum Glaucia prætore, et aliis ejusdem furoris sociis, bello quodam interfectus est.* See Schmitz, *Rome*, p. 349.

28. Vestram omnium. The genitive *omnium* is in apposition with the genitive *implied* in the possessive *vestram.* See note on p. 11, line 30.

32. Nemo ne .... quidem. See Z. 754, *Note.*

CH. III.—**36. Vos multis jam judiciis judicastis.** He skilfully endeavors to give to their decisions the force of judicial determinations. *Res judicatæ* formed precedents, which, in default of any written law, were binding on other judges. *Multis jam judiciis judicastis* is more emphatic than *sæpe jam judicastis* would have been. So Klotz. *Paulo ante frequens senatus judicaverat eos contra rem publicam fecisse;* and a little before: *Legatis Allobrogum et T. Volturcio comprobato eorum indicio præmia decernuntur.* Sall. c. 50. O.

37. Gratias egistis. See note on p. 12, line 11.

39. Ut se abdicaret .... coegistis. *Cogere* with *ut* is *rare* in C.—Matthiæ gives *de Orat.* 3, 3, 9: *Catulum .... esse coactum, ut vita se ipse privaret. Verr.* 2, 17, 41: *cogere incipit eos ut absentem Heraclium condemnarent*, with four or five more passages. See, however, Z. 613.

42. Supplicationem, &c. Cf. 3 *Cat.* § 15.—*Qui honos.* See Krebs, *Guide*, 124.

40 **1. Qui in custodiam, &c.** See 3 *Cat.* 6, 14.

2. Sine ulla dubitatione. "*Without any hesitation.*"

4. Referre. See note on p. 14, line 44. "But I have determined to bring before you, Conscript Fathers, as if the matter were still un-

decided, the question, both in regard to the fact, what is your judgment, and, in regard to the punishment, what is your decree."

6. Quæ sunt consulis. Cf. § 19, end, and *p. C. Rabir.* 1, 3.

7. In republica versari furorem. On this meaning of *furor*, see note on p. 9, line 2.

8. Misceri. This is the *verbum proprium* to describe the attempts of those who seek to overturn the government, and thereby throw every thing into disorder and confusion. Cf. *p. Mil.* 9, 25.

10. Quidquid est, quocunque vestræ mentes inclinant. The two clauses *quidquid est* and *quocunque vestræ mentes inclinant* are grammatically independent and co-ordinate: the second may be considered *explanatory* of the first. *Quidquid est, id est, quocunque vestræ mentes inclinant.* Klotz reads *quocunque vestræ se mentes*, &c.

11. Statuendum vobis ante noctem est. "Tum quia periculum erat, ne noctu aliquis tumultus excitaretur, ut per vim eriperentur ii, qui in custodiam dati erant, tum quia senatum ante noctem dimitti oportebat." Muret. Varro, in *A. Gell.* 14, 7, says that no *senatus consultum* was valid if pronounced before sunrise or after sunset.

13. Affines. What cases does *affinis* govern? *P. C.* 212; Z. 411. Matthiæ gives the following examples of both cases: *Aff. sceleri*, Sull. 25, 70; *turpidini*, Cluent. 45, extr.; *suspicionis*, Sull. 5, extr.; *rei capitalis*, Verr. 2, 38, 94.—*Latius opinione.* Z. 484.

17. Sustentando = *differendo.* This use appears to be confined to Cicero. [Freund.] *De Pausania Alabadensi sustentes rem, dum Nero veniat*, Fam. 13, 64, 1; *ædificationem Arcani ad tuum adventum sustentari placebat*, Q. Fr. 2, 7.

18. Vindicandum = *puniendum.* *Off.* 1, 30: *Tib. Gracchi nefarios conatus vindicavit.*

CH. IV.—**19. Duas.** For Cato (Sall. 52) had not yet spoken.—*D. Silani*, consulis designati. Sall. c. 50: *Tum D. Silanus, primus sententiam rogatus, quod eo tempore consul designatus erat.* Appian, *B. C.* 2, 5, p. 180: Σιλανὸς μὲν δὴ πρῶτος ἔλεγεν, ὃς ἐς τὸ μέλλον ᾕρητο ὑπατεύειν· ὧδε γὰρ Ῥωμαίοις ὁ μέλλων ὑπατεύσειν πρῶτος ἐσφέρει γνώμην, ὡς αὐτὸς, οἶμαι, πολλὰ τῶν κυρουμένων ἐργασόμενος, καὶ ἐκ τοῦδε εὐβουλότερόν τε καὶ εὐλαβέστερον ἐνθυμησόμενος περὶ ἑκάστου. M.

20. Hæc, δεικτικῶς; see note on p. 15, line 20.

21. C. Cæsaris, prætoris designati. Suet. *Cæs.* 14. M.

23. Pro sui dignitate. So Orelli, Klotz, and others. Madvig and Steinmetz, *pro sua dignitate.* Cf. *de Off.* 1, 39: *Habenda ratio non sui* [al. sua] *solum sed etiam aliorum.* So also the genitive stands with *causa*, but only where prominence or contrast is required.

25. Qui populum Romanum. These words are included in brackets by Madvig.

27. Non putat. See note on p. 21, line 2, and compare below, line 39: *non putet.*

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40 **29. Recordatur,** here = *commemorat.* M. So *Tusc.* 5, 5: *Multa de Atilio,* &c., *recordatur.* Bloch.—*Alter intelligit* = *censet arbitratur;* as 3 *Cat.* § 26.

30. Mortem . . . . quietem esse. Cæsar in Sall. c. 51: *in luctu atque miseriis mortem ærumnarum requiem, non cruciatum esse; eam cuncta mortalium mala dissolvere: ultra neque curæ neque gaudio locum esse;* which Muretus thinks an imitation of Soph. ὅστις γὰρ ἐν πολλοῖσιν, ὡς ἐγὼ, κακοῖς | ζῇ, πῶς ὅδ' οὐχὶ κατθανὼν κέρδος φέρει; (*Antig.* 463). Cf. Cic. *p. Mil.* 37, 101. M.

31. Necessitatem naturæ, i. e. *quam natura affert, id quod aliter non potest evenire atque a natura constitutum est.* It is used in a different sense, *Off.* 1, 35: *partes corporis ad naturæ necessitatem datæ.* M.

33. Appetiverunt. So Orelli and Klotz. *Oppetiverunt* is the reading of Madvig and others.—On the use of *inviti . . . . libenter* see Z. 682.—*Vincula . . . . jubet.* Cf. Sall. 51: *ita censeo; publicandas eorum pecunias, ipsos in vinculis habendos per municipia, quæ maxume opibus valent; neu quis de his postea ad Senatum referat, neve cum populo agat; qui aliter fecerit, Senatum existimare eum contra rem publicam et salutem omnium facturum.*—The *injustice* is the *commanding* the municipal towns to receive them.

35. Municipiis = per municipia.

38. Suscipiam = *will undertake it;* i. e. the task of imploring some of the *municipia* to receive them.

39. Non putet. Madvig reads *non putent.*

41. Digna . . . . sancit, &c. *Sancire* = *proposita pœna aliquid cavere et vetare.* Madvig reads, with Lambinus and Muretus, *circumdat et dignas scelere hominum perditorum; sancit, ne quis,* &c.

44. Eripit etiam spem, &c. Cf. *de Nat. D.* 3, 6, 14: *Miserum est enim, nihil proficientem angi, nec habere ne spei quidem extremum et tamen commune solatium.*

41 **2. Multos uno dolore animi.** This is the reading of the best MSS. Orator tamen ipse scripsisse videtur, ut vidit Græviu: *multos uno dolore dolores animi,* &c. Orelli. This last is also received by Madvig. Klotz retains *multas uno dolore animi,* &c.

4. Pœnas ademisset. Observe an instance which proves that Döderlein's distinction, "*adimuntur bona, eximuntur mala,* is not always observed. In *C. Legg.* 3, 9, it is used of a *bad* thing indeed, but one *not felt* to be so: *tribunis plebis injuriæ faciendæ potestatem . . . . adimere.*

6. Voluerunt = *statuerunt, contenderunt, affirmarunt.* Cf. *Tusc.* 5, 14, 41: *volumus eum, qui beatus sit, tutum esse, inexpugnabilem,* &c. M. Cicero's own belief on this point may be derived from *p. Cluent.* 61, 171, and *Tuscul.* 1, 5, 10 seq.

Ch. V.—**8. Ego mea video quid intersit.** See Z. 449.

10. Popularis. *Pro Sest.* 45: *qui ea, quæ faciebant quæque dicebant, multitudini jucunda volebant esse populares .... habebantur.* The name *popularis* lost the good sense in which it stands below, line 19, and denoted one who sought to gain the favor of the crowd, and looked for support to the mass of the people, as opposed to the *optimates;* and even became identified with *seditiosus* and *turbulentus.* The shades of meaning between these extremes will be noticed in this chapter.

11. Cognitore = *defensore.* Ernesti in Cl. *Auctor sententiæ* is the original proposer of an opinion; *cognitor,* one who defends it as his own.

13. Nescio, an = perhaps. See *P. C.* 116 and p. 203, 25; Z. 354 and 721.—*Amplius .... negotii.* "Rara dictio. Ne tamen rescribas *plus negotii.* Nam et apud Cæs. *B. G.* 6, 9, est *amplius obsidum.*" Heum.

15. Vincat. The MSS. here give *vindicat,* which Klotz retains. *Vincat* firmat Scholiasta. Orelli.—*Habemus enim,* &c. Cicero, having observed the impression which Cæsar's opinion had made upon those who were present, designedly praises it, in order to show his deference and respect for him, and thereby at the same time also to render him more yielding and disposed to adopt severer measures.

16. Tamquam obsidem. "Quæ confirmet, eum ita popularem fore ut tamen semper sit bonarum in rep. partium." Muret.

18. Quid intersit. Læl. 25, 95: *Concio, quæ ex imperitissimis constat, tamen judicare solet, quid intersit inter popularem, id est, assentatorem et levem civem, et inter constantem, severum et gravem.* M. *Quid interesset* is the reading of Klotz and Madvig from the MSS. On the repetition of *inter* after *interesse,* see Z. 745.

19. De istis. Z. 308 and 430 in fin.

20. Non neminem ..... Is, &c. "The far more trustworthy Scholiast of Gronovius says, that by this *non nemo* Cicero means *Q. Metellus Nepos;* against whose odious speech to the people Cicero had to deliver a formal defence of himself in the beginning of the next year. Compare the fragments of the *Oratio contra Concionem Q. Metelli.*" K.—Hence the use of the singular *is* relating to *non nemo; one* only being intended, though vaguely pointed out. Of course *non nemo* means more than one; but the *is* proves that the principal reference is to an individual. Z. 755.

21. Videlicet, ironical. Z. 345.

25. Quæsitori, &c. Cicero had not really been appointed (as *quæsitor*) to *try* the cause, nor had there *been* a regular trial; but he puts a *general* case, to which the present was *analogous,* though not *identical* with it.

29. Semproniæ legis, de capite civium Romanorum, proposed by C. Gracchus, A. U. C. 631. It enacted that the people only should de-

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41 cide respecting the *caput* or civil condition of a citizen. Cf. *p. Rabir.* 4, 12. The argument of Cicero here is, that if the proposer of the Sempronian law himself, since he was an enemy of the state, was put to death with the approval of the people, then can these criminals also be executed.

30. Jussu populi. "Causæ serviens hoc dicit; neque enim populi jussu interfectus est Gracchus." Muret. The senate had given Opimius unlimited power to take all necessary measures for the preservation of the state, without consulting the people; i. e. by the well-known formula: *darent operam Consules, ne quid res publica detrimenti caperet.* Cf. Sall. 29. Madvig. *injussu populi,* Buherii et Ernestii conj., quam forsitan aliquis firmet ex Scholiasta, p. 412, Ed. meæ: "*Lege Sempronia injussu populi non licebat quæri de capite civis Romani.*" Orelli.

31. Largitorem .... et prodigum. *Largitor* is one who gives from self-interested motives, generally for political ends; *prodigus* applies to one who seeks gratification and admiration from his profusion. Cic. *Off.* 2, 16: *omnino duo sunt genera largorum; quorum alteri prodigi, alteri liberales. Prodigi, qui epulis et viscerationibus et gladiatorum muneribus, ludorum venationumque apparatu pecunias profundunt in eas res, quarum memoriam aut brevem aut nullam omnino sint relicturi.* M. Klotz and Madvig read *Idem ipsum Lentulum, largitorem et prodigum.*

32. Pernicie .... exitio. *Pernicies* has an active meaning, and denotes the destruction of a living being by murder; *exitium* has a passive meaning, and denotes the destruction even of lifeless objects by annihilation. Död.

37. In pernicie. Cf. *in vestro timore,* p. 38, line 18. Döring explains it as = *in re populo Rom. perniciosa.* Benecke reads *in perniciem.*

Ch. VI.—**41. Dederitis.** This is not for *dabitis,* but (as Matthiæ observes) the Romans used *two future perfects* in this way, when the second action was not merely consequent upon the first (so as then to *begin* to take place), but both *were completed together.* Cf. *qui Antonium oppresserit, is hoc bellum, teterrimum periculosissimumque confecerit,* Fam. 10, 13. See Z. 511.

44. Exsolvetis. Madvig reads *populus Romanus exsolvet.* The common text is *a crudel. vitup. defendetis.*

42 **1. Obtinebo** = probabo, docebo.—*Quamquam* is corrective. Cf. 1 *Cat.* 9, 22.

4. Ita mihi .... liceat, ut, &c. A well-known form of asseveration by what a person holds dearest; *ita mihi deos omnes propitios esse velim, ut .... nequaquam tantum capio voluptatis,* &c. *Verr.* 5, 14, 37. *Ita* or *sic* precedes with the subjunctive, and that which is affirmed, follows with *ut,* commonly with the indicative.

6. Quis enim est. See *P. C.* p. 255, 92 and note; Z. 355.

7. Videor .... videre. Z. 380. The rhetorical figure here used is called Hypotyposis.

8. Lucem orbis terrarum. Cf. *p. L. Man.* 5, 11: *totius Græciæ lumen.*

9. Uno incendio. Cf. *una .... peste*, 2, 4.

10. Sepultam patriam. So Orelli, Klotz, and others. Madvig, with others, reads *sepulta in patria. Sepulta* then = *deleta* or *incendio consumpta*, laid in ashes.

13. Ex fatis, sc. Sibyllinis. See 3 *Cat.* 4, 9. Klotz and Madvig read *sicut ipse ex fatis se sperasse*, &c.

14. Purpuratum. *Purpurati* = *state officers, members of the royal household*, &c.—*ministers of state*, &c.; e. g. *ista horribilia minitare purpuratis tuis. Tusc.* 1, 43.—*Huic* (scil. Lentulo) *Gabinium.* Some read *hunc Gabinium.* The picture of Lentulus in his fancied royalty, with the addition of Gabinius as his prime minister, clad in the purple robes of oriental courtiers, is well adapted to excite the indignation of the republican Romans.

17. Quia .... idcirco. See note on p. 26, line 7.

19. Præbebo. Madvig retains the present *præbeo.*

21. De servis quam, &c. Klotz reads *de servis non quam*, &c.; Madvig, *de servo non quam*, &c. The singular *de servo* is defended by some because of the singular *nocentis* in the next sentence. This does not, however, seem sufficient ground for rejecting the reading of the best MSS. Besides, *nocentis* may denote the entire class of the guilty. We know also from Tacitus, *Ann.* 14, 42, that when a master or one of his family had been murdered by a slave, punishment was inflicted upon all of the slaves.

24. Mihi vero, &c. Cicero here speaks as the orator, not as the philosopher.

25. In his hominibus = in regard to these men, in the case of these men.

29. Id egerunt, ut. Z. 614. Is the *id* necessary? Z. 748.

33. Nisi vero has the same sense as *nisi forte*. Z. 526.

34. L. Cæsar. This was L. Julius Cæsar, who was consul with C. Marcius Figulus, A. U. C. 690.

35. Sororis suæ. *Julia*, who, after the death of her first husband, *M. Antonius Creticus* (by whom she had *M. Antonius* the Triumvir), married *P. Cornelius Lentulus.*

37. Avum. M. Fulvius Flaccus (Cf. 1 *Cat.* 2, 4). His daughter Fulvia was the wife of L. Julius Cæsar (consul, A. U. C. 664), and *L. Cæsar* was their son. 2 *Phil.* 6, 14: *L. Cæsar, avunculus tuus, qua oratione, qua constantia, qua gravitate sententiam dixit in sororis suæ virum, vitricum tuum?* M.

38. Filiumque ejus impuberem. *Vell.* 2, 7, 2: *juvenis, specie*

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42 *excellens, necdum duodevicesimum transgressus annum, immunisque delictorum paternorum, Fulvii Flacci filius, quem pater legatum de conditionibus miserat, ab Opimio interemptus est. Quem quum haruspex Tuscus, amicus, flentem in custodiam duci vidisset, Quin tu hoc potius, inquit, facis? protinusque illiso capite in postem lapideum januæ carceris effusoque cerebro exspiravit.* M.

40. Largitionis voluntas, sc. *frumentariæ,* for the purpose of gaining the favor of the people.

42. Hujus avus Lentuli. [Consul, A. U. C. 592.] Cf. *Phil.* 8, 4, 14: *Num igitur temerarium civem aut crudelem putares .... P. Lentulum principem Senatus, complures alios summos viros, qui cum L. Opimio Cos. armati Gracchum in Aventinum persecuti sunt? quo in prœlio Lentulus grave vulnus accepit?'* Cf. 3 *Cat.* 5, 10.

43 **2. Attribuit nos trucidandos Cethego.** See Z. 653.

3. Ceteros cives. Klotz and Madvig, from MSS., read *et ceteros.*

5. Vereamini, censeo, &c. This parenthetical insertion of *censeo* with an ironical force is unusual (Matthiæ says he knows of no other instance). With *credo* it is very common. Z. 777. Cf. Sall. 52: *Misereamini censeo.* In the next line Madvig reads *ac nefario aliquid severius, &c.* The common text is *nimis aliquid severe.*

7. Remissione pœnæ = *mitigatione, lenitate.* [Opposed to *severitas animadversionis.* M.] So *remissior* = *lenior, facilior. Att.* 16, 15. B.

Ch. VII.—**11. Exaudio.** The usual signification of the compound is to hear from a distance, or *ex* strengthens the meaning, so that it = to hear distinctly.

12. Jaciuntur. Others would read *jactantur.* But Ernesti remarks that *jactare* would imply *insolence, bravado, &c.*, whereas Cicero is speaking of good citizens, who were disposed to support him, but *were timid* and apprehensive. Such persons *threw out* the remarks in question in conversation with their friends. *Jacere voces* is, he says, the right term to express this. M. But *jactare* does not appear necessarily to imply bravado: in Liv. 8, 29, we have *quæ res, sicut eo anno sermonibus magis passim hominum jactata, quam in ullo concilio est, ita insequentis anni Consulibus .... nulla prior potiorque visa est, de qua ad Senatum referrent.*

13. Vereri .... ut habeam. *P. C.* 95; Z. 533.

20. Plenum est. "De hac re Cicero in Philipp. 2, 7: *Quis eques Ro., quis præter te adolescens nobilis, quis ullius ordinis, qui se civem meminisset, quum senatus in hoc templo esset, in clivo Capitolino non fuit? quis nomen non dedit? Quamquam nec scribæ sufficere, nec tabulæ nomina eorum capere potuerunt.*" Steinmetz.

21. Templi et loci. Not of Jupiter Stator, but of Concord. See 2 *Phil.* 8, 19, and 46, 119.

24. Cum omnibus .... perire voluerunt. Cf. 2 *Cat.* § 21.

31. Summam ordinis consiliique, "i. e. locum primum inter ordines et jus de re publica deliberandi ac decernendi: exquisita Latinitate." Ernesti.—*Ita .... ut* = *quidem .... sed.* So *pro Rosc.* § 72: *Ita vivunt, dum possunt .... ut ducere animam de cælo queant.* M. See Z. 726.

32. Quos ex multorum annorum dissensione, &c. The quarrels alluded to are those that arose from the changes introduced of late years in the judicial departments. In A. U. C. 632, C. Gracchus had deprived the senate of their judicial power, and transferred it to the equites; Sulla restored it to the senate in 673; and L. Cotta, in 684, had made another change (that would naturally satisfy neither the senate nor the knights), and confided it jointly to the senate, the equites, and the tribuni ærarii.—Though this arrangement had existed for some years, yet Cicero speaks of *this day* as the day that had united the senate and the equites, because it was (we must assume) the first day of their cordial reconciliation; the common danger having made both senators and knights co-operate zealously with Cicero against Catiline. But differences broke out anew, particularly in A. U. C. 693 and 694. See 2 *Phil.* 8, 19.

35. Confirmatam. Cf. *ad Att.* 1, 15: *tueor, ut possum, illam a me conglutinatam concordiam.*

39. Tribunos ærarios. These were officers who assisted the quæstors (from B. C. 49, the ædiles) in the management of the treasury. Their principal duty was to collect each from his tribe the *pay* of the army. They were plebeians. Madvig, *Opusc. Alt.* p. 242, seq., endeavors to show that there was no connection between the *tribuni ærarii* of an earlier date, in the sense above explained, and the *tribuni ærarii* of the *Lex Aurelia,* who are here intended. His language is: Gradum aliquem et distinctionem civium universorum certa aliqua norma factam, quemadmodum equites censu separabantur, illud nomen tribunorum ærariorum notare debet. His view is that the *tribuni ærarii* of this period were those who possessed a property qualification next to that of the equites, and that they were so called in the law of Cotta, from some resemblance in this respect to the earlier *tribuni ærarii,* who, he supposes, were private men, whose property, of a prescribed amount, made them responsible for the trust reposed in them. The amount of property required in either period is not known.—*Scribas.* The *scribæ* were public notaries, and received a *salary.* From the *ab exspectatione sortis* and the Scholiast, we learn that it was decided by lot to which magistrate each should be attached ("*Ipso die convenerunt ad ærarium scribæ, ut sortirentur officia, qui scriba esset consulis, qui tribuni plebis*"). "In Cicero's time it seems that any one might become a *scriba* or *public clerk* by purchase; and, consequently, as freedmen and their sons were eligible, and constituted a great part of the public clerks at Rome, the office was not highly es-

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43 teemed, though frequently held by *ingenui*, or free-born citizens. Cicero, however, informs us that the *scribæ* formed a respectable class of men; but he thinks it necessary to assign a reason for calling them such, as if he was conscious that he was combating a popular prejudice." (*Dict. Antiq.*) His words are: *Ordo est honestus. Quis negat? aut quid ea res ad hanc rem pertinet? Est vero honestus, quod eorum hominum fidei tabellæ publicæ periculaque magistratuum* [the books in which the sentences pronounced were recorded. Cf. Nep. *Epam.* 8] *committuntur.* 3 *Verr.* 79, 183.

40. Quos quum casu hic dies ad ærarium frequentasset. They did not *happen* to meet on that day; but that day, the day on which Cicero was speaking, *happened* to be the *regular* day that brought the *scribæ* to the *ærarium.*—*Frequentare* is here = *frequentes cogere*, or *congregare;* an *unusual* use of the word. But Klotz observes properly that *frequentare* = *frequentem facere* or *reddere;* so that it may very correctly be said of the person or occasion that *causes men* to be *numerous* in any place. It is used in the same way in the *Or. pro domo sua* [the genuineness of which is disputed]: *quem tu tamen populum nisi tabernis clausis frequentare non poteras:* and at any rate Cicero uses the word in other places in the sense of bringing or heaping many things together; e. g. *acervatim multa frequentans* (*Or.* 25, 85).

42. Ingenuorum .... etiam tenuissimorum. See the extract from *Dict. Antiq.* in note on *scribas* above. Cf. 2 *Verr.* 79, 183: *Itaque ex his scribis, qui digni sunt illo ordine, patribus familiis, viris bonis atque honestis percunctamini,* &c. He also mentions that *Imperatores*, after victories, often raised their *scribæ* to the rank of *knights* (*scribas suos annulis aureis in concione donarunt:* ib. 80, 185).

44 CH. VIII.—**3. Libertinorum.** *Libertus* means the freedman, with reference to his master, in opp. to *servus; libertinus*, with reference to his rank, in opp. to *civis* and *ingenuus*. Död.

4. Fortunam .... civitatis, i. e. the right of citizenship. He calls it *fortuna civitatis*, because, though gained by merit, yet *merit* could not always gain it: a man must be *lucky* enough to have a good opportunity of calling attention to his claims.

7. Sed quid ego .... commemoro? Heumann, "*Quid ego commemorem*, inquit, est *formula præteritionis*, ac tum usurpatur, quum aliquid *non sum commemoraturus*. At quum jam commemoravi aliquid et ad ultimum dicere volo, commemoratione illa me potuisse supersedere, subjungo *quid eos commemoro?* hoc est, cur tam longus sum in iis commemorandis? *pro Mil.* 7, 18." But M. quotes the following passages to prove that the *subjunctive*, in questions of this sort, does not always imply that the speaker does not do what he asks why he *should* do. *Or.* 3 8, in.: *Sed quid ego vetera conquiram? Tusc*

1, 45, in.: *Sed quid singulorum opiniones animadvertam? Fin.* 5, 22, 63: *quid loquar de nobis?*—Madvig, with others, reads *Sed quid ego hosce homines ordinesque commemoro?* Klotz, with Orelli, as in the text.

8. Hujusce ordinis. The *libertini.* It is strange that Matthiæ should deny the possibility of their having *privatæ fortunæ.*

11. Qui modo .... sit. Z. 559.

13. Quantum .... voluntatis. M. quotes the following similar instances of a genitive dependent on *tantum,* though removed to a considerable distance from it. *Or.* 3, 23: *Non tantum ingenioso homini et ei, qui forum, qui curiam, qui causas, qui remp. spectet, opus esse arbitror temporis.* Ib. 24, in.: *satis video tibi, homini ad perdiscendum acerrimo, ad ea cognoscenda, quæ dicis, fuisse temporis.* 1, 47, 207: *quoniam id nobis, Antoni, hominibus id ætatis, oneris ab horum adolescentium studiis imponitur. Offic.* 2, 9, extr.: *quantum volet, habebit ad faciendam fidem virium.* Cf. *de Or.* 1, 1, 3; *pro Arch.* § 13. M. The common text is *non tantum, quantum,* &c. Klotz reads *qui non quantum audet et quantum potest, tantum conferat,* &c.

15. Lenonem quendam Lentuli. Sall. c. 50: *Dum hæc in senatu aguntur et dum legatis Allobrogum et Tito Vulturcio, comprobato eorum indicio, præmia decernuntur, liberti et pauci ex clientibus Lentuli diversis itineribus opifices atque servitia in vicis ad eum eripiendum solicitabant.* Cf. Dio Cass. 37, 35, p. 134; Appian, *B. C.* 2, 5, p. 180. M. He uses *leno* for *nuntius* or *administer,* that he may give a sideblow to the dissipated habits of Lentulus. The word seems to have been used by later writers in the general sense of *internuntius,* &c. *Scythis bellum indixit, missis primo lenonibus.* Just. 2, 3. B.

16. Tabernas = workshops, though properly it signifies the place of sale of wares elsewhere made. Hence just below the paraphrase *sellæ,* &c., whence the workmen were called *sellularii* or *sedentarii.*

21. Denique. See Z. 727.—*Otiosum* = remotum a bello et tumultu, quietum, i. e. peaceful. Cf. line 24, *otii.*

22. Velint. *Inventi sunt,* being followed by *pres. subj.,* must be construed by the *perf. definite.*

23. Nisi vero. Madvig reads, with Ernesti, *immò vero.*

26. Occlusis tabernis. This occurred, by command of the magistrates, on the breaking out of public disturbances, and in general mourning.

27. Futurum fuit. Why *fuit? P. C.* 447; Z. 498 and 510. Cf. Liv. 2, 1: *quidenim futurum fuit, si ulla pastorum convenarumque plebs—agitari cœpta erat tribuniciis procellis?*

CH. IX.—**30. Ex plurimis ... insidiis atque ex media morte.** *Atque* = *atque etiam* or *atque adeo.* Cf. 2 *Cat.* 12, 27.

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44 **35. Supplex manus tendit patria.** Compare 1 *Cat.* 7, 17. Such a personification is frequently resorted to, to move the feelings of the hearers.

36. Arcem et Capitolium. See Z. 741.

38. Vobis omnia deorum templa. Klotz and Madvig read *vobis omnium deorum templa.* Orelli does not notice this variation.

39. Muros et urbis tecta commendat. Madvig reads *muros atque urbis,* &c.; Klotz, *muros urbis, tecta commendat.*

41. De focis. Consult note on p. 46, line 24.

43. Quæ .... facultas datur = cujus generis or qualem ducem non semper habere contingit.

45 **2. Cogitate, quantis, &c.** If the participial construction is employed in a sentence introduced by a relative or interrogative, in translating we may use a substantive and preposition, or change the participle into the finite verb, and add the finite verb in an accessory clause, or we may make of the participle a leading sentence and connect it with the other sentence by *and, but, and therefore,* &c. Here, for example, we may translate, "consider, by how great labors the empire was founded, &c., and how a single night almost destroyed them."

5. Una nox. That on which the Allobroges were taken. Cf. *p. Flacc.* 40, 102.—*Ne unquam .... non modo .... sed ne ... quidem.* Z. 754, *Note.*

9. Mea vox, &c. Cf. *p. C. Rabir,* 1, 3; and 3, 6, of this oration.

Ch. X.—**11. Ad sententiam,** sc. rogandam.

14. Sed eam, &c. Klotz reads *sed eam esse judico turpem et infirmam et objectam;* Madvig, *sed eam esse turpem judico et infirmam et abjectam.*

15. Si aliquando alicujus. *Si aliquando, si aliquis,* &c., "differunt a *si quando, si quis,* &c., eo quod plena vocabula ponuntur, quando in iis vis inest, et *nunquam, nemo, nullus vel multi, omnes* opponi potest, ut h. l. non significat nunquam cujusquam manum plus valituram esse, sed concedit fieri posse, ut *aliquando alic.,* &c., *si quando* autem et *si qui* ponuntur, quando conditio tantum spectatur. Cic. *Phil.* 13, 1, extr. *Proximo bello si* aliquid *de summa gravitate Pompejus,* multum *de cupiditate Cæsar remisisset. Brut.* 82, 285: *Quem igitur imitaris? si* aliquem, *ceteri ergo Attice non dicebant; si* omnes, &c." M. See *P. C.* 391; Z. 708.

19. Mihi is omitted by Klotz and Madvig.

22. Gratulationem = "*supplicationem* qua *gratiæ* diis aguntur." *Fam.* 11, 18: *hac tam recenti* gratulatione, *quam diis ad omnia templa fecimus:* and *Phil.* 14, 3, 7.

23. Sit Scipio. P. Cornelius Scipio Africanus major, who put an end to the second Punic war by the battle at Zama, A. U. C. 552.

24. In Africam redire atque Italia decedere. Benecke di-

rects attention to the ὕστερον πρότερον in these words, which would be more correct if inverted. But such instances are not uncommon.

25. Alter .... Africanus. *Africanus minor.* He was the son of L. Æmilius Paullus, and adopted by the son of the elder Africanus. He put an end to the third Punic war by the destruction of Carthage, A. U. C. 608.

26. Numantiamque delevit, A. U. C. 621.

27. Paullus ille. The father of the younger Africanus.

28. Perses. See Z. 52, 4; and consult Schmitz, *Hist. Rome*, p. 299.

29. Bis Italiam .... liberavit. "Propter Ambrones et Teutones in Gallia ad Aquas Sextias, Cimbros in Italia ad Vercellas devictos, A. U. C. 652, 653." Manut. Schmitz, *Rome*, pp. 346–8.

31. Cujus res gestæ, &c. Cf. 3 *Cat.* 11, 26, and *p. Arch.* 10, 23. Pompey's exploits are praised in the oration *p. L. Manil.*

33. Nisi forte, ironically. Z. 526.

35. Ut .... illi, qui absunt .... revertantur. Cf. *de Offic.* 1, 22, 78: *Mihi quidem certe vir abundans bellicis laudibus Cn. Pompeius, multis audientibus hoc tribuit, ut diceret frustra se triumphum tertium deportaturum fuisse, nisi meo in rem publicam beneficio ubi triumpharet, esset habiturus.* See also 2 *Phil.* 5, 12. *Pompey* was absent, being in command of the army in the war against Mithridates. M.

36. Revertantur. Z. 209, in fin.—*Quamquam.* See note on p. 15, line 22.—*Uno loco* = una parte, in one respect.

42. Quare mihi, &c. So *pro Sull.* 9, 28: *Etenim in qua civitate res tantas gesserim memini; et in qua urbe verser, intelligo: plenum forum est eorum hominum, quos ego a vestris cervicibus depuli, judices, a meo non removi.—Quare non sum nescius, quanto periculo vivam in tanta multitudine improborum, quum mihi uni cum omnibus improbis æternum videam bellum esse susceptum.*

5. Conspirationem = consensum, unanimitatem.

CH. XI.—**7. Pro imperio .... provincia,** instead of *pro imperio exercitus in provincia.* Cicero separates the notions for the sake of emphasis. Some understand him to mean the province of Macedonia, which he relinquished to his colleague Antonius to gain him to his side, or at least to neutrality in regard to the conspiracy of Catiline. It is, however, better to refer it to the province of Gallia, which Cicero gave up because of the dangers which threatened the state. Cf. Plut. *Cic.* 12. In Gallia there was yet much opportunity to gain warlike renown and honors.

10. Pro clientelis. The colonies, allies, provinces, and especially the countries dependent on Rome, chose from the most distinguished men in Rome a patron who represented them in the city, and took care of their rights and interests. Thus Q. Fabius Sanga (Sall. 41)

Page 46 was the *patronus* of the Allobroges, probably because Q. Fabius Maximas had conquered them. Cf. *de Off.* 1, 12, 35. So Cicero was the *patronus* of the Sicilians.—*Hospitiisque*. Such ties of hospitality often grew into the relation of patron and client, and increased the dignity and authority of the Roman citizen who was the patron.

11. Urbanis opibus = auctoritate et potentia amicorum et clientum urbanorum.

12. Igitur = inquam (Z. 739), and in this connection with *igitur* the pronoun is not *is* but *hic*, since the latter refers more distinctly to the preceding.

15. Consulatus memoriam. Compare 3 *Cat.* 11, 26.

16. Dum erit. *Dum* with the future = *quamdiu*.

21. Suo solius. The genitive *solius* agreeing with the genitive implied in the possessive *suo*. See Krebs' *Guide*, § 105.

24. De aris ac focis. A well-known formula for private dwellings. For *foci* were fireplaces in the *atrium* for sacrifices to the household gods (*lares*), and *aræ* were little altars in the *impluvium* for sacrifices to the guardian deities (*penates*).—*De fanis atque templis*. *P. C.* p. 128, note y.

The result of this debate is given in the General Introduction, p. 144.

It may here be briefly stated, that the genuineness of the Orations against Catiline has not been unquestioned. Each in its turn has been attacked. The second oration was early assailed, in consequence of a remark of F. A. Wolf, that one of the four was spurious, he at the same time adding, "*esse alteram e mediis duabus.*" Wolf however, it appears, intended the third, and he seems to have adopted this opinion from a suggestion made by Eichstädt. But the genuineness of the fourth oration has been most warmly assailed, and by the largest number. The first had escaped, until recently it has found an assailant in R. A. Morstadt. Orelli (*Oratt. selectt. Cicer.* pp. 176–182) endeavors to prove that all, with the single exception of the first oration, are spurious. But notwithstanding these attacks, the genuineness of these orations has had able defenders in Madvig, Drumann, and many others.

THE ORATION FOR THE MANILIAN LAW.

INTRODUCTION.

MITHRIDATES, king of Pontus, had been checked in his plans of conquest and aggrandizement, by L. Sulla, as early as A. U. C. 669, by the battles of Chæroneia and Orchomenos, and compelled to restrict himself to the dominions which he held before the commencement of the war. But he had from this time improved every opportunity to carry into effect his long-cherished hopes. Therefore, in the years 671 to 673, he had renewed the war, and defeated the Roman general, Murena, near Sinope. In 680, while the Roman arms were occupied in Spain with Sertorius, in Italy with Spartacus, while too the pirates who infested the coasts of Cilicia and Insauria, increasing in boldness after the downfall of Carthage, caused alarm along the sea and coasts of the Roman empire, Mithridates thought the most favorable moment had arrived for carrying his plans into execution, and directed his first effort to grasp Bithynia, which, by the will of king Nicomedes, was to become a Roman province. In pursuit of similar aims he sought to gain his son-in-law Tigranes, king of Armenia, and commenced a secret correspondence with Sertorius in Spain, for the purpose of bringing about some concert of action. The consuls of the year 680, L. Licinius Lucullus and M. Aurelius Cotta, marched against Mithridates from Rome, and although Cotta lost a battle on land and sea, Lucullus was afterwards so successful on land, that he not only signally defeated Mithridates in several battles and drove him from his kingdom, but also several times routed, in the years 685 and 686, Tigranes, who had received and protected Mithridates in his flight. Thus Lucullus probably would have completely frustrated the last efforts of the combined kings, if other circumstances, of which he was partly the cause, had not prevented. Lucullus had received his army in a wretched and insubordinate condition, but as a skilful general he had brought them under subordination thus far by strict discipline, until his insatiable avarice, which he sought to gratify at the expense of the legions, excited the minds of the soldiers against his severity. It was thus easy for his enemies in Rome, who, without his knowledge, had their agents even in his army, to foment insurrections in his legions, and in this way so to paralyze his energy, that Mithridates was enabled again to establish himself in Pontus. Thus his opponents in Rome, at the head of whom was Pompey, succeeded in effecting his recall from the command of the army, A. U. C. 687. He was succeeded by M'. Acilius Glabrio, consul of this year, who, however, showed such incapacity and so little activity, that Mithridates disgracefully defeated two Roman legates, Fabius and Triarius. At the same time also the pirates from the coast of Cilicia and Isauria, against whom Servilius Isauricus, M. Antonius, and Cæcilius Metellus Creticus had fought, had made the most daring assaults upon Roman territory and property, and caused serious losses to the public treasury as well as to private individuals. This state of things led the tribune, A. Gabinius, a friend of Pompey, to propose a law that some one should be clothed with extraordinary powers for three years for the purpose of putting

an end to the disturbance of the pirates, who carried on open and formal war against Rome. Although this bill was directed less against the pirates than the existing constitution of the state itself, since that "some one" could be no other than Cn. Pompey, who after his consulship had remained in Rome without a province, and only thought how he might secure to himself political preponderance, it nevertheless was passed, and Pompey received the command on all seas and coasts for 400 stadia inland with the most extensive powers. Pompey executed this trust with such success, that within fifty days he had entirely conquered the pirates and in part brought them back to a better mode of life. But instead of laying down his power after the conclusion of the war against the pirates, he sought to extend it still more, and when Mithridates came forth against Glabrio with renewed strength, L. Manilius, a tribune, of Pompey's party, A. U. C. 688, proposed a bill that the extraordinary powers conferred on Pompey should not only be prolonged, but extended so as to include Pontus, Bithynia, and Armenia. This bill was opposed by many patriotic citizens, as Catulus and Hortensius, but C. Julius Cæsar supported it from deep political motives, and M. Tullius Cicero, who had been chosen prætor, recommended it to the people in this oration, the first he ever addressed to the assembled people, and in this year, 688, under the consulship of M'. Æmilius Lepidus and L. Volcatius Tullus the bill was carried. The Romans, however, had no occasion to regret the step they took.

ANALYSIS.

In this lucid and finished oration the orator commences with a modest recital of the reasons which have hitherto prevented him from addressing the people from the rostra, testifies his gratitude for the office of prætor conferred upon him by the people, and promises to devote the influence of his office, and his eloquence to the good of the state. (Ch. 1.) He then briefly reviews the condition of the Romans in Asia Minor and the position of Mithridates, which had occasioned the Lex Manilia (§ 4, 5), and distributes his speech into three parts; the first of which treats of the character of the war, the second of the magnitude, and the third of the general in whom are found the qualifications requisite to bring it to a successful issue. (§ 6.)

(1.) On the first head, the character of the war, the orator shows (*a*) that the honor and dignity of the Roman people are endangered (§ 6–11); (*b*) that the protection of the allies in Asia deserves the closest attention (§ 12, 13); (*c*) that the largest and surest revenues of the state are exposed to the greatest danger, if help is not speedily rendered (§ 14–16); (*d*) that the property of many Roman citizens, especially of the farmers of the revenue and of merchants, is depreciated, so that in Rome itself the most disastrous consequences to the credit of the state must ensue. (§ 17, 18)

(2.) Cicero speaks of the greatness and importance of the war, mentions with due praise the many and great victories of Lucullus (§ 20, 21), shows, however, at the same time, how powerful Mithridates has again become since his defeats, (*a*) by the aid of Tigranes and many nations of Asia; (*b*) by the resistance of the army which has refused to follow its general; (*c*) by the return of Mithridates to his kingdom, and the frightful overthrow which he caused the Roman army when Lucullus had been recalled from the command by the Roman people. (§ 21–26.)

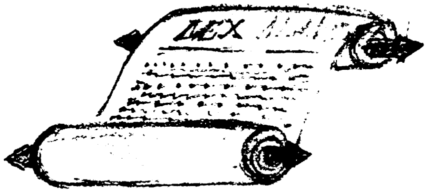
(3.) He seeks to show that to no other general than Pompey, who unites in himself all the qualities of a commander, can the command in this war be given (§ 27); for (*a*) he possesses the most accurate knowledge and experience of war (§ 28); (*b*) the greatest bravery as shown in the Italian, Sicilian, Gallic, and Servile wars (§ 29, 30), and especially in the war against the pirates (§ 31–36). He besides possesses the greatest purity of character and disinterestedness (§ 37–39); self-command (§ 40, 41); good faith, courtesy, eloquence, and humanity (§ 42); respect and authority among all nations, friends and foes (§ 43–46); and finally, the marked favor of fortune everywhere attends him (§ 47–49). He can besides best take charge of this war as he is already in the neighborhood of it. (§ 50.)

The orator having sufficiently dwelt upon these points, proceeds to refute two opposite opinions (§ 51):—

(1.) That of Hortensius, who had objected that all power ought not to be conferred upon one man. Cicero weakens this objection by showing that if the conduct of the war against the pirates, in accordance with this view of Hortensius, had not been given to Pompey, the welfare of the Roman people, nay, even its world supremacy would have been lost (§ 52–56). He thus gives to his own opinion greater weight, and casts suspicion upon that of Hortensius, as opposed to the welfare of the state. He further adds, what does not properly form a part of this cause, that some had unworthily opposed Gabinius, in preventing his appointment as legate to Pompey, when he had been the proposer of the Lex by which Pompey was charged with the command of the war against the pirates (§ 57, 58).

(2.) That of Catulus (to whom he testifies his respect for his merits,) that such a proceeding was contrary to the institutions of their ancestors; by showing, (*a*) that the Roman people, for its own advantage, had often made exceptions and put many wars in charge of one man (§ 60); and (*b*) that Catulus himself had previously, to honor Pompey, voted for extraordinary measures. Praise of Pompey (§ 60–62).

Finally, Cicero concludes with urging that, in accordance with the judgment of the people, Pompey should be appointed to the command of the army against Mithridates (§ 63), especially because he possesses the self-control which is necessary in an Asiatic war (§ 64–67). He then offsets to the authority of Hortensius and Catulus the views of other distinguished men who had supported the Manilian bill (§ 68). At last, praise of Manilius for his bill, encouragement to perseverance, and, with the promise of his support, the most solemn assurance also that the orator has been influenced solely by the good of the state to defend this bill and cause (§ 69–end).



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CH. I.—**1. Frequens conspectus vester,** by hypallage for *conspectus frequentiæ vestræ.* Cf. *p. Planc.* 1, 2: *Nunc autem vester, judices, conspectus et consessus iste reficit et recreat mentem meam.*

2. Multo jucundissimus. See Z. 108 and 487.—*Hic autem locus.* The rostra, from which the orators addressed the people. Consult *Dict. Antiq.* ROSTRA.—*Autem* = "and though," &c., serves to continue the discourse. See note on p. 30, line 23.—*Ad agendum . . . dicendum.* The distinction between *agere* and *dicere* in this passage is given in *Gell.* 13, 15. Only magistrates had the right of submitting questions to the people (*agere cum populo*) for their approval or disapproval; while to harangue them was open to any one, though not invested with office, to whom the presiding magistrate gave the authority.—*Ad* = quod attinet ad. See note on p. 12, line 29.

4. Hoc aditu laudis. The Rostra, the grand *entrance* to glory and fame at Rome.—*Optimo cuique maxime patuit.* Z. 710, *b.*

5. Vitæ meæ rationes. My chosen plan or course of life, i. e. pleading causes.

6. Ab ineunte ætate. Referring to manhood, not boyhood. At the age of 26 Cicero argued his first private cause for P. Quinctius, and in the following year his first public cause for Roscius of Ameria. —*Nam, quum,* &c. Three causes deterred him from the rostra: 1. his plans of life, 2. his modesty, 3. the talents and industry requisite for such an undertaking.

7. Per ætatem. Cicero was now in his forty-first year, had been pleading causes for nearly twenty, and had held the offices of quæstor and ædile.—*Hujus auctoritatem loci* = hunc locum, qui auctoritatem tribuit concionantibus ex eo. But Benecke considers the words *hic locus ad ag. amplissimus, ad dic. ornatissimus* and *hujus auct. loci attingere audeam, statueremque nihil huc nisi perfectum ingenio,* &c., as mutually corresponding, and explanatory of each other. *Locus ad agendum amplissimus* is therefore one to which only magistrates and men of the highest dignity were admitted, and *ad dicendum ornatissimus* where the finished and elaborate eloquence of the most perfect orators was wont to be brought forward. Consequently, *hujus auctoritatem loci* is that to which the highest authority belongs, because from it men of the highest standing and influence were wont to consult the people.

10. Temporibus = καιροῖς. Cf. § 2: *in privatorum periculis,* and note on p. 15, line 31. Benecke is displeased with the play upon the words *tempus . . . . temporibus.*—*Transmittendum* = tribuendum. Cf. 14, 42: *huic hoc tantum bellum transmittendum.*

11. Ita neque hic locus. Sensus est: Eo pacto, dum privatis servio, vestram mihi benevolentiam conciliavi, quum interea tamen desertus hic locus non esset. Hotoman. For a dependent thought, which should be thrown in, as an intervening or accessory clause,

subordinately to the rest of the sentence, is sometimes put in co-ordinate relation with the leading thought, notwithstanding it does not proceed from it; as e. g. this passage does not follow from the preceding. Cicero, however, could boast of having preserved by his activity as an advocate many citizens to the state, who now could defend its interests. Especially was this the case before his prætorship.—*Neque .... et.* Z. 338.—*Ab iis* = talibus; therefore the subjunctive *defenderent.* Z. 556.

12. Causam = id in quo utilitas vestra posita est; interest. So *causa rei publicæ*, § 4; *pop. R. vera causa*, § 53.—*Periculis* = trials, prosecutions. *Pericula* in Cicero is a standing expression for *judicia publica*, or criminal prosecutions instituted against private individuals.

13. Caste integreque versatus. These words refer to the custom of conferring gifts and favors upon lawyers and orators to induce them to defend even the worst causes. To put a stop to this abuse, the *Lex Cincia de donis et muneribus* was passed, A. U. C. 550, in the *comitia tributa*, having been proposed by the tribune Cincius, and supported by Q. Fabius Maximus. It prohibited advocates from receiving fees or gifts from their clients. *Caste* and *integre* are elsewhere found together. They both denote purity and integrity of character, but particularly freedom from cupidity and corruption. *De Fin.* 4, 23, 63: *caste et integre vivere; id.* 1, 9, 30: *incorrupte atque integre judicare; pro Sest.* 43, 93: *homo castus ac non cupidus.*—*Judicio*, as expressed by acts, in electing him to the office of prætor.

14. Propter dilationem comitiorum. The higher magistrates, consuls, prætors, and censors, could only be chosen at the *comitia centuriata.* The comitia might be broken off for some informality in taking the auspices, by a tempest, by the intercession of a tribune, or for other reasons. The grounds of postponement were more frequently political than religious. In this instance it arose from the ferment in which the city was kept by the promulgation of the Gabinian, Roscian, and other laws, and the assembly had been twice adjourned before completing the election of the entire number of prætors, which was then eight.

15. Prætor primus. These words do not mean that Cicero was chosen *prætor urbanus*, as of higher rank than either of the other prætors, but merely that he was the first choice of the people at three successive trials. The particular duties of the prætors were after their election decided among themselves by lot. To Cicero fell the *quæstio de pecuniis repetundis.*—*Centuriis.* See Bojesen's *Roman Antiquities*, p. 33, § 10; and p. 49, § 6.

17. Quid aliis præscriberetis. The approbation which the people had expressed of his course by conferring their honors upon him, set it up as an example for others to follow.

18. Honoribus mandandis. Compare note on p. 30, line 3.

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21. [Ea] apud eos utar. Klotz and Madvig omit *ea* altogether.

22. In dicendo. The common text omits *in;* and this reading Matthiæ explains as = efficere, quod operæ pretium sit. Benecke, from *Cod. Erf.*, receives *in* and explains: *si quid in ipsa arte oratoria efficere possum, si quam facultatem dicendi habeo, &c.*

23. Potissimum. See Arnold's Nepos, *Milt.* 1, [2], 6.—*Ei .... rei* = facultati dicendi.

24. Censuerunt. Klotz and Madvig read *duxerunt.*

25. Illud .... lætandum .... esse. Z. 385.

27. Possit. Z. 556. The common text gives *potest.*

48 **1. Virtute** = high qualities, merit, talents.—*Hujus autem orationis, &c.* The position of a genitive, which is governed by two or more substantives, is either before or after the governing substantives, not between them. The resemblance of this passage to the following from Lysias against Eratosthenes, § 1, is striking: *οὐκ ἄρξασθαί μοι δοκεῖ ἄπορον εἶναι, ὦ ἄνδρες δικασταί, τῆς κατηγορίας, ἀλλὰ παύσασθαι λέγοντι.*

3. Copia = materials for eloquence.—*Modus,* moderation in the use of them.

Ch. II.—**7. Vectigalibus.** Tributaries.—*Sociis,* particularly Ariobarzanes, of whom below, ch. 5, *rex, socius populi Rom. atque amicus.*

8. Alter, Mithridates, *relictus,* non prorsus debellatus a L. Lucullo. See § 22.—*Alter,* Tigranes ab eodem Lucullo *lacessitus* dumtaxat, non victus. § 23.

9. Occasionem .... ad occupandam Asiam. We might expect the genitive of the gerundive after *occasio.* For one substantive is seldom joined to another by a preposition in Latin, except after a verbal substantive, retaining the construction of the verb from which it is derived (aditus *ad* portum); and when the substantive with its preposition expresses *the material* (monile *ex auro*).—*Asiam.* Proconsular Asia, a portion of Asia Minor, including Mysia, Troas, Æolis, Ionia, Lydia, Caria, and the two Phrygias. These were the finest and richest districts of Asia Minor, and from them the Romans derived large revenues.

10. Arbitrantur. So also Klotz and Madvig. It is defended by Wunder, *Varr. Lectt. Cod. Erf.* p. LXIX. against the common reading *arbitratur,* and by Benecke, since it refers to neither singly, but to Mithridates and Tigranes conjointly as allies.—*Equitibus Romanis.* The equites, as possessing large wealth, were usually the farmers of the public revenues. The revenues were let out, or, as the Romans expressed it, were sold by the censors in Rome itself to the highest bidder. The *publicani,* which word is used as synonymous with *equites,* had to give security to the state for the sum at which they bought one or more branches of the revenue in a province; but as for this

reason the property of even the wealthiest individual must have been inadequate, a number of equites generally united together and formed a company (*socii*, *societas*, or *corpus*), which was recognised by the state. The credit of these companies, and the flourishing state of their finances, were of the utmost importance to the state, and in fact its very foundation. See ch. 6. Cicero, *p. Planc.*, calls them the *ornamentum civitatis et firmamentum rei publicæ.*

12. Aguntur = are at stake, employed in the farming of your revenues.—*Exercere vectigalia* is said of the equites; *exigere* of their subordinates (vid. § 16). *Vectigalia* is the general term for all the regular revenues of the Roman state. These were derived partly from the tithes paid to the state by those who occupied the public land (*decumæ*); partly from the sums paid by those who kept their cattle on the public pastures (*scriptura*); and partly from the harbor duties raised upon imported and exported commodities (*portorium*). There were other revenues from the salt-works (*salinæ*) and the mines (*metalla*). These various branches of the revenue were let out by the censors, who had the charge of this business, to the *Publicani* for a fixed sum and for a certain number of years. The letting or sale of the revenues generally took place in the month of Quinctilis, and was made for a lustrum. The responsible person in each company, and the one who contracted with the state, was called *manceps*. There was also a magister to manage the business of each society, who resided at Rome, and kept an extensive correspondence with the agents in the provinces. See *Dict. Antiq.* VECTIGALIA and PUBLICANI.

13. Pro necessitudine. For Cicero himself belonged to their order, and, regarding them as holding the balance of power in the state, zealously defended their interests. Cf. *p. Rabir. Post.* 6, 15; *ad Q. frat.* 1, 1, 12.

14. Causam rei publicæ. See note on *vestram causam*, p. 47, line 12. He adds the public interest to the private interest of the equites, that he may not seem to be solicitous for these only.

15. Bithyniæ, ... vicos exustos esse. The construction which the parenthesis had interrupted is here continued, and these words depend upon *afferuntur .... literæ.*—*Vestra provincia.* By the will of the deceased king Nicomedes Philopator, A. U. C. 679, who bequeathed it to the Roman people, because Sulla had restored him to the throne when driven out of his kingdom by Mithridates. It became a Roman province, and was governed sometimes by proconsuls, sometimes by proprætors.

16. Regnum Ariobarzanis, sc. Cappadocia, of which, on the recall of Lucullus, Mithridates again took possession.

18. Huic qui successerit. M'. Acilius Glabrio, consul, A. U. C. 687, and at that time governor of Bithynia.

20. Unum, sc. Pompeium, whom Cicero designedly omits to name.

Page 48 It is greater praise of Pompey that he does not need to be named, and the attention is more awakened.

21. Deposci atque expeti = magnopere et instanter posci atque valde ac præ ceteris desiderari. The prepositions strengthen the meaning of the simple verbs.

24. De genere belli; as being in defence of civil rights and freedom, for supremacy, or for honor and glory.

25. Deligendo. Of choice from among several objects, with the accompanying notion of superior fitness. Cf. § 63.

28. In quo agitur. On the use of the relative in Latin, where we should use the demonstrative or personal pronoun and some copulative or causal conjunction, see Z. 803. This sentence is explanatory and not dependent upon *genus est enim*, &c.; therefore *agitur* is indicative, while *debeat* is subjunctive, by Z. 556. Notice also the ἐπαναφορά. Z. 821.

30. Tradita est. Quo turpius videtur amittere. Cf. infra, 5, 11.

31. Magna et gravia bella. They are mentioned below, ch. 6, 14.

32. Certissima .... vectigalia. Such were the riches and fertility of Asia, that the revenues could be depended upon, unless interrupted by the calamities of war. Cf. 6, 14: *Asia vero*, &c.

33. Pacis ornamenta et subsidia belli. Below, ch. 7, 17, he calls them *nervos rei publicæ*.—*Requiretis* = desiderabitis, carebitis. The consequent standing for the antecedent, for we commonly miss and seek what we have lost. Compare *Div. in Cæcil.* 22, 71: *nihil de suis veteribus ornamentis requiret*, where Pseudo-Asconius interprets it *amissum sentiet*. Here its relation to *quibus amissis* just before may be noticed.

34. Multorum civium. The collectors of the revenue and others, who were engaged in business in Asia.—*A vobis*. Why is the preposition with the ablative here preferable to the dative, which is regularly the case of the agent with this participle? Z. 651.

35. Et rei publicæ causa. Because losses to the equites, who had farmed the revenues, would react upon the state, in case of their inability to meet their engagements.

Ch. III.—**36. Appetentes gloriæ.** Z. 438.

38. Mithridatico bello superiore. A. U. C. 666. For an account of the manner in which it commenced, see Schmitz, *Rome*, p. 356, fol.

40. Uno die. Velleius Paterculus says, *eodem die atque hora*.—*Tota Asia*. On the omission of the preposition *in*, see Arnold's *Nepos*, *Præf.* [5], 1; *Iphicr.* 2, [3], 4, and Z. 482. Klotz reads *tota in Asia*.

41. Una significatione literarum. Z. 791.

42. Denotavit. Cf. 1 *Cat.* § 2. Klotz reads *curavit*. Some writers state the number of those who perished in this massacre at 80,000; Plutarch makes it 150,000.

1. Cappadociæ latebris. From its being so far inland. Cf. *in Rull.: In Paphlagoniæ tenebris atque in Cappadociæ solitudine.* Klotz and Madvig read *Ponti neque Cappadociæ latebris.* Süpfle defends *Ponto.*

2. Emergere. *Emergere* proprie dicuntur, qui aqua mersi eluctant et evadunt, unde pulchræ nascuntur translationes v. c. de eo; qui ex obscuro loco ad illustriorem adspirat, aut ex infelice fit felix, aut a vitæ pravitate se recipit ad bonam frugem. Ruhnken ad Terent. And. 3, 3, 30. Sic igitur emergere etiam Mithridates dicitur, qui e patrio et non ita nobili regno profectus totius Asiæ imperium affectavit.

3. In Asiæ luce = in maxima celebritate atque in oculis hominum in ea provincia. Cf. *ad Q. frat.* 1, 1, 18: *in luce Asiæ, in oculis clarissimæ provinciæ,* &c.

4. Insignia victoriæ. These are triumphs, as may be seen from the following *triumphavit. Reportarent* then, which is strictly applicable only to *victoriam,* comes under the figure *zeugma.* Z. 775. Manutius considers *insignia* as = signa et indicia victoriæ (ut captivos, aurum, argentum, vestes, &c.).

5. Triumphavit L. Sulla. Schmitz, *Rome,* p. 359, fol. Sulla made peace with Mithridates in 670, and returned to Italy in 671. He triumphed in 673.

6. Triumphavit L. Murena. Schmitz, *Rome,* p. 369. Though he was defeated and recalled, a triumph was still granted him, in the same year with Sulla.

7. Ita triumpharunt. *Ita* with a restrictive meaning. Z. 726. —*Pulsus superatusque.* What writers join the particles *quamquam, quamvis, etiam,* and *vel* with the participle itself? Z. 635 and *Note.*

9. Quod egerunt, ... quod reliquerunt. *Quod* in both instances is to be considered as a causal conjunction, and the verbs are to be taken absolutely, the action, and not the object to which it is directed, being the prominent notion. Thus *quod egerunt* = quod non otiosi, sed strenui in bello Mithridatico gerendo fuerunt. The absolute use of *agere* is common, and here *relinquere* for the sake of concinnity is likewise so used.

10. In Italiam res publica. His opponents, the Marian faction, having gained the ascendency in Rome. His recall too of Murena may have arisen from pressing occasion for all these troops in Italy. Consult Schmitz, *Rome,* p. 369, fol.

CH. IV.—**12. Omne reliquum tempus.** After the return of Murena.

14. Posteaquam .... ædificasset. Z. 507, b. But Madvig adopts the conjecture of Benecke, *qui postea, quum maximas,* &c.—*Ornassetque* = instruxisset. On the omission of the English verb "to order," or "have," see Z. 713.

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49 **16. Bosporanis.** Accolis Bospori Cimmerii. They had revolted from Mithridates, but he afterwards reduced them to submission and established Machares, one of his sons, as king of that country.

18. Ad eos duces. Sertorius. Consult Schmitz, *Rome*, p. 373, fol. Appian gives the names of the ambassadors as L. Magius and L. Fannius.

19. Duobus in locis. Asia and Spain.

20. A binis . . . . copiis. Why the distributive *bini?* Z. 119. How does *copia* differ in meaning from *copiæ?* Z. 96.

21. De imperio, i. e. de conservatione vestri imperii vestræque libertatis.

22. Alterius partis periculum = periculum, quod ab altera parte vobis imminebat.

25. Depulsum est. By the defeat of Perperna, A. U. C. 682. See Schmitz, *Rome*, p. 376.

26. Initia illa rerum gestarum. See ch. 8.

27. Hæc autem extrema. See ch. 9.

* CH. V.—**35. Mercatoribus aut naviculariis,** &c. Compare *Verr.* 5, 58, in. *Quot bella majores nostros et quanta suscepisse arbitramini, quod cives Romani injuria affecti, quod navicularii retenti, quod mercatores spoliati dicerentur?* Madvig reads *majores vestri;* and after *naviculariis*, with Klotz, *nostris.*

38. Legati quod erant appellati superbius. Consult Schmitz, *Rome*, p. 311, fol.

40. Extinctum esse voluerunt. Z. 611. *Extinctum* is chosen with reference to *lumen*, and therefore the agreement with the noun in apposition instead of *Corinthum . . . extinctam esse.* Z. 370, *Note.* Cicero calls Corinth, *Græciæ totius lumen*, but Rome (4 *Cat.* 6), *lucem orbis terrarum;* Corinth is compared to a glimmering point of light; Rome is distinguished as that city in comparison with which all other cities lie in darkness. Död.

41. Legatum. Manius Aquillius, who had been consul A. U. C. 653, and as proconsul had put an end to the servile war in Sicily, A. U. C. 655. He was sent in 664 into Asia to Nicomedes and Ariobarzanes. Mithridates, into whose hands he had fallen, treated him in the most barbarous manner, and put him to death by pouring molten gold down his throat.

43. Civium Romanorum, i. e. naviculariorum.

50 **1. Persecuti sunt** = ulti sunt. *Persequi* corresponds to the following *relinquetis.*

2. Relinquetis. *Verr.* 1, 33, 84: cum injurias tuas reliquisti? i. e. non persecutus, non ultus es. This figurative use of *relinquere* is derived from its sense as = omittere, prætérire.—*Videte, ne,* = cavete, vereminì, &c.

6. Quid, quod. On this familiar formula, see Z. 769.

* De vestri &c: "Concerning [illegible] dignity and glory of your empire, since this [illegible] see what mind you think should be [illegible]

8. Socius p. R. atque amicus. Such honorary titles were received by friendly kings from the Roman people for services rendered. They were conferred by decree of the senate, and accompanied by rich gifts—as a golden crown, a golden patera, an ivory curule chair, an embroidered toga, an ivory sceptre, and a tunic with a purple border. Those who had received this title, in foreign countries placed their throne next to the seat of the Roman generals, and had a squadron of Roman cavalry as a guard.

11. Cuncta Asia. Cf. *tota Asia*, 3, 7. "At non idem est *in tota Asia* et *in cuncta Asia.* Nam *cuncti significat quidem omnes, sed conjunctos et congregatos,* ait Festus." Matthiæ. So some separate these words from the preceding by a comma, and take them as nominatives.

14. Alium miseritis. M.' Acilius Glabrio, the consul of the previous year. See §§ 5 and 26.—*Sine summo periculo,* ne offendant Glabrionem.

16. Summa ..... omnia. The greatest virtues, the highest qualities.

17. Propter esse, i. e. in Cilicia, employed against the pirates. This war however he brought to an end in 687 and landed his forces in Cilicia and Pamphylia, where he waited hoping to receive the command in Asia.—*Quo .... ægrius* = et eo ægrius carent, sc. Pompeio. These words are included in a parenthesis by Klotz and Madvig, and the following *cujus* brought into immediate connection with *eum propter esse.*

22. Dignos .... quorum .... commendetis. Z. 568.

23. Atque hoc etiam magis. Supply *dignos existimetis. Hoc magis* stands with stronger emphasis for *eo magis.*—*Quod ceteros,* &c. The common reading is *quam ceteros, quod ejusmodi hom. in prov.* Benecke explains the text as arising from brevity of expression, for *quod ceteri homines, quos in provinciam mittimus, ejusmodi sunt.*

24. Cum imperio, sc. militari, quod habent ii, quibus potestas belli gerendi data est. Hoc imperium qui habent, dicuntur esse cum imperio. The wealth of the Asiatic provinces excited, more than any other, the avarice of the Roman generals. Cf. chaps. 22 and 23.

25. Adventus. Why the plural of an abstract noun? Z. 92.

26. Ab hostili expugnatione. For the conduct of the Roman prætors in Asia, see chaps. 22 and 23, and compare *ad Q. frat.* 1, 2, 9.

27. Hunc audiebant. When he was carrying on war in Italy, Africa, Gallia, and Spain.—*Tanta temperantia,* &c. What ablatives are these? Z. 471. Hanc virtutem primam nominat, ut opponat aliorum libidini et rapacitati.

29. Commoratur. Ernesti thought the subjunctive necessary, and reads *commoretur.* But Cicero here speaks in his own person. Z. 546.

Page 50 **CH. VI.—30. Nulla ipsi injuria lacessiti.** Notice the contrast between *ipsi* and *socios*.

31. Cum Antiocho. A. U. C. 562–564. See Schmitz, *Rome*, p. 279, fol.—*Cum Philippo*. 553–556. Schmitz, *Rome*, p. 274, fol. —*Cum Ætolis*. They had formed an alliance with Antiochus. See Schmitz, *Rome*, p. 278, fol.

32. Cum Pœnis. 490–512; 536–553; 605–608.

36. Tanta sunt, i. e. tantilla, tam exigua. Z. 726.

38. Asia vero tam opima, &c. *Opima* in reference to the soil and pasturage; *fertilis* in respect of the grain and produce.—*Ubertate agrorum*, &c. Three sources of revenue are referred to: *decumæ*, *scriptura*, and *portorium*. See note on p. 48, line 12.

40. Exportantur. See Z. 547. Klotz, however, from the Erfurt and some other MSS., reads *exportentur*.

42. Belli utilitatem, res eas, quæ ad bellum gerendum bellique sumptus sufferendos sunt utiles. *Retinere* is the reading of the best MSS. Est autem inter *sustinere* et *retinere* illud discrimen, ut *sustineri* dicatur res ea, quæ ne labatur ac corruat, provideamus; *retineri*, quæ ne amittatur periculum sit.

43. A calamitate. *Calamitas* is here loss of crops by devastation and by the expulsion of the cultivators, or by checking the pursuit of husbandry. Hence loss, misfortune, in general.

51 **4. Facta est .... pecua.** So Benecke and Madvig; Klotz, *pecora*.

6. Scriptura. The publicani had to keep lists of the persons who sent their cattle upon the public pastures, together with the number and quality of the cattle. From this registering (*scribere*), the duty itself was called *scriptura*. See *Dict. Antiq.*, SCRIPTURA.

9. Qui vectigalia .... pensitant. The inhabitants of the provinces.

10. Qui exercent atque exigunt. The Roman equites or publicani.

13. Familias maximas = servos.

14. Custodiis. These were places where the servants of the publicani kept watch, lest any goods should pass without paying custom. Consult *Dict. Antiq.*, PORTORIUM. As this formed a part of the *portorium*, *portubus* and *custodiis* are rightly joined by *atque*, while the other three sources of revenue are distinguished by *quas in*.—For *salinis* various conjectures have been proposed, that this passage may be made to correspond with the one in § 14, where three sources of revenue are referred to. But the MSS. give, almost without exception, *salinis*. These too were sources of revenue, and Pliny, *H. N.* 31, 7, speaks of numerous salt-works in Asia. Cf. *Dict. Antiq.*, SALINÆ.

15. Magno periculo. Z. 472.

16. Illis rebus, vectigalibus.—*Eos,* publicanos.—*Fructui sunt,* i. e. fructum præbent; sc. et socii et publicani. Z. 422. Cf. *vobis curæ esse debent,* below.

Ch. VII.—**20. Quód mihi ego,** &c. *Quod* is here the pronoun; in the next line it is the conjunction depending on *negligendum.*

22. Quorum .... habenda est ratio. *Rationem habere alicujus rei* = to regard something.

23. Nam et publicani. This sentence is *anacoluthous.* We should expect below, to correspond with this commencement, a second *et.* But in its place, at § 18, the orator begins a new period with *deinde.* See, however, Hand, *Tursell.* ii. p. 508, seq.

24. Honestissimi, i. e. *splendidissimi,* an epithet of the equites. *Honestus* is one who deserves honor, honorable; *honoratus,* one who is honored, *qui magistratus gerit aut gessit.*—*Ornatissimi.* A common epithet of those who are distinguished for their high qualities, or for their rank and splendor.—*Rationes* = resources, property.

28. Firmamentum. Cf. *p. Planc.* 9, 23: *flos equitum Rom., ornamentum civitatis, firmamentum rei publicæ publicanorum ordine continetur.*

29. Ex ceteris ordinibus, præter ordinem publicanorum.

30. Negotiantur. *Negotiari* is used of such Romans as sought for gain, partly by putting out their money to interest in the provinces, or in the purchase and sale of grain. They are expressly distinguished from the *publicani.* The former mode of employing capital was more profitable, as the rate of interest was not limited by law in the provinces. Cicero also distinguishes those who pursued their business in Asia, from those who remained at Rome and put out their money there.

31. Partim eorum, sc. nonnulli, aliquot. Z. 271, in fin. Some read *partim suas et suorum,* but on insufficient authority.

32. Collocatas habent. Z. 634.

33. Calamitate prohibere. Compare p. 52, line 1, and see Z. 469. The preposition is more commonly expressed.

34. A re publica sejunctam esse non posse. Cf. *de Off.* 3, 15, 63: *Singulorum enim facultates et copiæ divitiæ sunt civitatis.*—*Illud,* sc. quod mihi responderi possit.

35. Illud parvi refert. Z. 449. Does *refert* occur in Cicero with the genitive of the person?

36. Publicanis amissis, i. e. perditis. The common reading is *amissa.*

37. Redimendi. *Redimere* = to farm or purchase the revenues. Here *re* may have its force of *again.*

40. Initio belli. Twenty-three years before. Benecke and Madvig, *id quidem certe;* Klotz as in the text.

41. Nam tum, &c. After *certe id quidem .... memoria reti-*

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51 *nere debemus*, we should expect *quod tum, quum*, &c. But instead of the second member with *quod*, in imitation of the Greek usage, a new sentence begins with *nam*.

42. Solutione impedita. Payments were suspended in Rome because the publicani and capitalists had not received returns from Asia.

43. Non enim possunt .... ut non, &c. What is more common than *ut non* in this construction? How is the clause to be translated? Z. 538 and 539. Compare below *ruere illa non possunt, ut hæc non*, &c.

52 **3. Ratio pecuniarum.** Z. 678.—*In foro*, in tabernis argentariorum. The shops of the bankers were in the cloisters round the forum.

5. Illa, sc. vectigalia Asiatica.—*Hæc*, vectigalia Romana.

9. Defenduntur. Klotz and Madvig read *civium conjunctæ cum re publica defendantur.*

Ch. VIII.—**14. Ne forte a vobis.** Z. 651. Madvig, *ne forte ea vobis.*

18. Maximas Mithridatis copias. Appian informs us that the army of Mithridates, at the beginning of the third war, consisted of 140,000 infantry and 16,000 cavalry. Lucullus had only 30,000 infantry and 1600 cavalry. Cicero, in order to elevate Lucullus's bravery, first mentions Mithridates' prosperous condition, and then proceeds to the victory gained by Lucullus.

19. Urbem .... Cyzicenorum, &c. See Schmitz, *Rome*, p. 382.

23. Liberavit. In grateful remembrance of the relief which he brought, the inhabitants celebrated a yearly festival, called *Lucullea.*

24. Ducibus Sertorianis. L. Varius. Lucullus gained two naval battles; one near Tenedos, the other near Lemnus, where Varius was taken and put to death, since he was a Roman senator and could not be led in triumph.—*Studio atque odio inflammata.* Madvig omits *atque odio.* Others read *s. a. o. inflammato.*

28. Sinopen atque Amisum. The former was a city and Grecian colony in Paphlagonia, on the Black Sea, and the birthplace of the cynic, Diogenes. The latter was a city and Grecian colony in Pontus.—*Ex omni aditu.* Benecke directs attention to the rarer use of *ex* where *ab* might be expected.

29. Domicilia. The Asiatic kings had palaces in several places.

32. Patrio atque avito. This was the sixth from Mithridates I. the founder of the kingdom.

33. Ad alias gentes, sc. Iberos, Caspios, Albanos et utrosque Armenios.

35. Atque ita. Understand *esse* again, i. e. atque ita laudatum esse Lucullum.

36. A nullo istorum, i. e. Catulo et Hortensio. Why *nullo?* Z. 676.

37. Obtrectant. See Arnold's Nepos, *Arist.* 1, 1.

CH. IX.—**39. Quum hæc ita sint** = quum tantas res gesserit Lucullus.

40. Reliquum bellum = reliqua pars belli. *P. C.* 179; Z. 685.

43. Medea illa. Z. 701. In this sense *ille* usually stands after its substantive, or after an adjective connected with the substantive.

44. Fratris. Absyrtus. *Parens*, Æetes. See *de Nat. D.*, where Cicero has preserved the following lines of an old poet:—

postquam pater
Appropinquat, jamque, pæne ut comprehendatur parat:
Puerum interea obtruncat, membraque articulatim dividit,
Perque agros passim dispergit corpus; id ea gratia,
Ut dum nati dissipatos artus captaret parens,
Ipsa interea effugeret, illum ut mæror tardaret sequi,
Sibi salutem ut familiari pareret parricidio.

1. Eorum collectio dispersa. This figure is called hypallage, where the adjective is joined with a substantive different from that to which it seems properly to belong. This is done only when the adjective itself can be transferred to the other substantive. Thus here, as the limbs had been scattered, their collection also could be called *dispersa.*

3. Maximam vim. Plutarch and Appian say he owed his escape to his shrewdness in opposing a mule laden with his treasures to his pursuers, who were on the point of overtaking him, and to his scattering his money as he fled, with the collection of which his pursuers were retarded so that he escaped with 2000 horsemen to Tigranes in Armenia. Cf. *Flor.* 3, 5, 18: *Rex callidus Romanæque avaritiæ peritus spargi a fugientibus sarcinas et pecuniam jussit, qua sequentes moraretur.*

12. Venit. What mood and tense usually follows *posteaquam* and the conjunctions which are equivalent to the English "as soon as?" *P. C.* 514; Z. 506 and 507, b.—*Plures gentes.* Plut. *Luc.* 26, gives the names of a number.

15. Neque lacessendas bello neque tentandas. Döderlein understands *tentare* of peaceful attempts on the part of Rome to form connections of friendship and alliance with other nations.

16. Per animos .... pervaserat. The preposition is rejected, on the authority of the Erfurt MS., by Wunder, Benecke, Klotz, and Madvig. See Z. 386.

17. Fani, &c. The temple of Bellona in Comana, respecting which compare Hirt. *de B. Alexandr.* 66; *Venit Comana, vetustissimum et sanctissimum in Cappadocia Bellonæ templum, quod tanta religione colitur, ut sacerdos ejus deæ majestate imperio potentia secundus a rege consensu gentis illius habeatur.*

Page 53 **21. Urbem,** sc. Tigranocerta. Plut. *Luc.* 26 and 29. Cicero here calls it *urbem*, κατ' ἐξοχὴν, from its being the capital and from its opulence.—*Tigrani.* Z. 61, 1. So p. 52, line 18, some read *Mithridati.*

23. Plura non dicam. For the Romans had suffered a severe defeat, which Cicero (§ 25) ascribes to the misfortune of Lucullus's absence.

27. Ex ipsius regno. Madvig reads *ex ejus regno*, and includes only the *et* before *eorum* in brackets. This accords with the conjecture of Matthiæ, who omits *et* and explains *suam manum confirmarat eorum* as = quæ constabat ex iis, qui se coll. Orelli, because of the involved explanation of the common text, (sc. "et eos, quos ante secum habuerat, et eos, qui denuo se ad eum adjunxerant,") and of another reading found in one MS., supposes with Benecke a double interpolation of the text.

32. Ut [iis] nomen, &c. Madvig reads *ut regale iis nomen*, &c. Klotz, *ut his nomen, &c.* *Ut* = so that.

36. Ut illam .... attingeret, depend upon *acciderat.*

38. Sicut poetæ solent. He appears to allude to the first Punic war of Cn. Nævius, and to the annals of Q. Ennius.

39. Nostram calamitatem. The defeat, first of M. Fabius then of C. Triarius, in which the Romans lost more than 7000 men.

40. Ad aures imperatoris. Madvig, *ad a. L. Luculli;* Klotz, *a. a. Luculli imperatoris.*

44. Imperii diuturnitati. Lucullus had been in command of the army for seven years, from A. U. C. 630–636. Cf. Liv. 4, 24: *maximam libertatis pop. R. custodiam esse, si magna imperia diuturna non essent, et temporis modus imponeretur, quibus juris imponi non posset.*

54 **2. Stipendiis confecti erant.** Madvig, with others, *confectis*, i. e. who had served out their time. *Confecti* = fracti, debilitati. For the infantry exemption was allowed after 20, for the cavalry after 10 years' service.

3. Sed ea vos conjectura perspicite, quantum .... putetis. Z. 750.

5. Conjungant = conjunctim gerant.

CH. X.—**8. Quare esset.** The imperfect, because not merely a result is denoted, but an action from its commencement. Z. 515.

11. Esse videatur. Z. 751.

19. Sic existimo. Z. 748.

20. Scientiam .... felicitatem. An asyndeton for the sake of distinctness and emphasis. The orator speaks in this chapter of the military science of Pompey; of his bravery, ch. 11–14; of his weight of character and authority, ch. 15–16; of his good fortune, ch. 16.

23. Bello maximo, sociali, A. U. C. 663–665. In this war Italy

lost no less than 300,000 of her sons. Schmitz, *Rome*, p. 352, ...
the omission of the preposition *in*, see Z. 475.—*Acerrimis host.*
Compare Z. 645.—*Ad patris exercitum.* Cn. Pompeius Strabo. .
was in his 18th year that Pompey entered upon his military career.

25. Extrema pueritia. Z. 685. So just below, *ineunte adolescentia.*

26. Imperator, in the 23d year of his age, when he collected an army of three legions, and went to the aid of Sulla, by whom he was saluted *imperator* as a mark of distinction.

27. Hoste is contrasted with *inimico*. *Hostis* is "the enemy," in the field and war; *inimicus*, "an enemy," in heart. Död. Observe also the choice of verbs, *concertare* and *confligere*. With the former Manutius supplies *verbis*, and compares *ad Att.* 3, 12: *nunquam accidit, ut cum eo verbo uno concertarem.*

29. Confecit = subegit, in potestatem Romanorum redegit. Cf. Liv. 40, 28: *confecta provincia decedere.*

32. Non stipendiis, contrasted with *triumphis*, and = inactive campaigns, the time merely of service as measured by the soldiers' pay.

34. Civile. Between Sulla and the Marian faction, against Carbo, Cinna, &c., 666.—*Africanum*, 673. Against Cn. Domitius and Hiarbas, king of Numidia, whom he conquered, and then restored Hiempsal to his kingdom. Schmitz, *Rome*, p. 369.—*Transalpinum*, 677. The history of this war is obscure, and only known from § 30 and the letter of Pompey to the senate in Sallust's Hist. frag. III., where Pompey says of himself: *diebus quadraginta exercitum paravi, hostesque in cervicibus jam Italiæ agentes ab Alpibus in Hispaniam summovi; per eas iter aliud, atque Hannibal, nobis opportunius patefeci; recepi Galliam, Pyrenæum,* &c. Cf. Plin. *H. N.* 3, 4. Sertorius appears to have formed an alliance with the Gauls that dwelt between the Pyrenees and the Alps, for the purpose of cutting off or obstructing the march of the Roman armies through Gallia, and of securing easy access for himself to Italy.—*Hispaniense.* Sertorianum, 676–682.

35. Mixtum, &c. Madvig reads *mixtum ex civibus atque ex bell.;* Steinmetz, Benecke, and Klotz, *m. e. civitatibus atque ex bell.* Orelli explains his text as = quod varie gerebatur, hic finiebatur, illic rursus incipiebatur ab incitatis et bellicosissimis nationibus Hispaniæ. Süpfle remarks that prominence is to be given to the circumstance, that the last-named Spanish war, as also in part the previously mentioned wars, was carried on by states that were connected with Rome (as the citizens of Roman colonies in Spain), and at the same time by foreign nations that were not Roman. It was thus a *bellum mixtum.* —*Servile.* Against Spartacus, 683, see § 29. Schmitz, *Rome*, p. 376, foll.

36. Navale. Against the pirates, 687, see § 35.—*Varia* .... *ho-*

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54 *stium.* In apposition with the preceding. *Varia* dicuntur quæ non ejusdem sunt generis, *diversa*, quæ dissimilia.

Ch. XI.—**40. Jam vero** mark transition. See note on p. 21, line 18.—*Virtuti*, in a general sense of merit, virtue.

41. Quid est, quod quisquam. Z. 562 and 709.

43. Neque enim illæ sunt, &c. Cicero here speaks generally of the ordinary virtues of a commander, and extols Pompey's possession of them, but forgets to add what the reader will expect, *sed aliæ etiam, &c.* These are mentioned in § 36.

55 **2. Tanta .... quanta.** The neuter as referring to all that has gone before.

4. Testis est Italia. Notice the anaphora and the metonymy, the names of the countries standing for the inhabitants.—*Quam .... L. Sulla .... confessus est liberatam.* Cf. § 28, and note on p. 54, line 26. *Liberatam* a dominatione partium Marianarum.

6. Sicilia. Being sent thither by the senate, when 25 years old, he drove out Perperna, and took Carbo captive and put him to death, A. U. C. 672. From Sicily he crossed into Africa.

7. Explicavit, instead of *explicuit*, for rhythmical reasons. Gell. *N. A.* 1, 7. *Cinctam*, in the previous line, and *explicavit* are both used figuratively, as of escape of the game when surrounded by the nets or toils of the hunter.—*Africa.* Where, in the war against Cn. Domitius and Hiarbas, of an army of 20,000 only 3,000 escaped.

9. Gallia. See § 29, and note on p. 54, line 34: *Transalpinum.*

14. Expetivit. What Plut. says, *Crass.* 11, may be referred here. This praise of Pompey is greatly exaggerated.

17. Exteræ gentes ac nationes. *Gens* and *natio* denote a people, in a physical sense, in the description of nations, as a society originating in common descent and relationship, without any apparent reference to civilization. *Gens* includes all people of the same descent; *natio*, a single colony of the same. Död. On *exteræ*, consult note on p. 26, line 22.

19. Toto mari, sc. mediterraneo = per totum mare. Z. 482. Observe how Cicero, in order to excite the attention of his hearers, begins with the most remote coasts and countries, which were disquieted by the pirates, and draws nearer and nearer, until he exhibits these daring foes at the very mouth of the Tiber.

22. Committeret. *Committere* = to expose. It is often used of a thing of doubtful issue. The thought is expressed in a general way and therefore the imperfect. In another form it would be: *quicunque navigabat, se committebat. Commiserit* would be used of an actual fact.—*Hieme.* Because the sea, owing to the season, was less full of pirates, navigation being generally suspended during the winter months.

24. Vetus. It was begun A. U. C. 667, in the consulship of Octa

vius and Cinna, and ended in the consulship of Lepidus and Tullus, A. U. C. 688.

25. Quis .... arbitraretur. See Z. 528, *Note* 2 in fin.

31. Captas. A. U. C. 686. The pirates had more than 1000 ships on the sea, and had taken 400 cities. Their chief stations were in Crete and Cilicia. See Plut. *Pomp.* 24.

CH. XII.—**33. Quid .... longinqua commemoro.** See note on p. 44, line 7.

34. Fuit proprium populi Romani. The repetition of the verb contributes to the emphasis. See note on p. 9, line 25. What case does *proprium* take? Z. 411.

35. Propugnaculis. Ernesti understands this of the colonies founded in subdued nations, to keep the conquered in subjection, and to restrain the neighboring nations from attacks upon the provinces. See *p. Font.* 1. Sometimes fleets and armies are so called, and in this sense, since Cicero adds *sua tecta* and is speaking of the piratic war, Benecke and others take it here.

37. Clausum. In consequence of the waylaying of the pirates.—*A Brundisio.* Brundisium is particularly mentioned, because it was the port from which the Roman forces set out for the war against Mithridates and the pirates. It was also in the usual route to Greece. The preposition is sometimes added to the names of towns, particularly where the departure or starting is had in view rather than the route. But see Z. 398, *Note* 1. Madvig reads *sociis ... vestris* and *exerc. vestri.*

38. Hieme summa. In the dead of winter. See note on line 22. —*Transmiserint*, used absolutely. Z. 392.

39. Venirent = venire vellent.—*Querar.* Z. 530. So *dicam*, line 41, and *commemorem*, line 44.

41. Duodecim secures = two prætors, for in the provinces a prætor had six lictors, while in the city he had only two, and without the axe. Plut. *Pomp.* 24, gives the names, Sextilius and Bellinus.

42. Cnidum. A city of Caria, situated on a peninsula, with two harbors, and distinguished for its commerce and for the Venus of Praxiteles.—*Colophonem.* A city of Ionia, famous for its horses.

43. Samum. An island and city of Ionia in the Icarian Sea, known as the birthplace of Pythagoras.

1. Quibus vitam et spiritum ducitis. For through them supplies of grain were brought from Sicily, Sardinia, and Africa.

2. Caietæ. A promontory and town of the Auruncans, now Gaeta. It had a fine harbor.—*Celeberrimum.* Thronged, populous.

3. Prætore. Probably Marcus Antonius, son of the orator and father of the triumvir, surnamed Creticus. In an attack which he made upon Crete, he entirely failed, and shortly after died there.

4. Misenum. A promontory of Campania, with a noble harbor and town.

Page 56 **5. Liberos.** Plut. *Pomp.* 24, informs us that the daughter of Antonius was taken by the pirates. Various passages show that it was customary for orators when speaking of one son or one daughter to use the plural *liberi.* The thing and name, and not the number, are regarded.

6. Ostiense incommodum. Dio Cass. tells us that the pirates ventured to enter the harbor of Ostia at the mouth of the Tiber and to burn or plunder the shipping.

9. Consul. Cicero conceals the name, to cover the disgrace.—*Capta atque oppressa.* Weiske explains *capta* of those that came into the power of the pirates; *oppressa* of those that were destroyed or greatly damaged. Others find here a ὕστερον πρότερον, understanding *opprimere* as = subito et improviso invadere in classem. Benecke considers *opprimere* in this connection as but an amplification of *capere,* and = capta classe, plane tenere eam dominumque ejus fieri. They are likewise found together in *Verr.* 2, 19, 46; *Sest.* 15, 35.

13. Nunc nullam. Madvig reads *ii nunc nullam,* &c. Orelli remarks, *ii* videtur ortum e geminatione litt. *is* et *n.* Cfr. tamen, § 55: *nos .... ii.*

14. Oceani ostium = *fretum Herculeum,* the straits of Gibraltar. The expression is chosen to correspond to *Ostium Tiberinum* and *ostium* is repeated with emphasis.

15. Hæc .... prætereunda non sunt, for *prætereundum non est,* &c. The subject of the accessory clause is sometimes, for the sake of prominence, drawn into the leading sentence, and made its object or subject. In the latter case the leading sentence becomes personal. In both cases a kind of attraction exists, by which the leading and accessory clauses are interlocked. The verbs of the leading clause are principally such as express some mental activity, and not seldom also the verbs of causing or effecting (*facio, efficio*). Cf. *Læl.* 17, 63: *Quidam* sæpe in parva pecunia *perspiciuntur,* quam sint leves (for perspicitur, quam leves sint quidam).

17. Aut obeundi negotii aut consequendi quæstus studio. The former refers to the *negotiatores* or money-lenders, the latter to the *mercatores* or traders.

19. Belli impetus navigavit. The language is here poetical. *Impetus belli* = *bellum,* with the accompanying notion of its magnitude and impetuosity. *Navigavit* is equally poetical and appropriate, as the *impetus belli* consisted in the fleet of Pompey. It may also have special meaning with reference to the following *nondum temp. ad navigandum mari.* Cf. Florus, 2, 2, 7: *Regulo duce jam in Africam navigabat bellum.*

21. Sardiniam. Z. 398, *Note* 1.

24. Duabus Hispaniis. Spain was divided into hither and farther Spain.—*Gallia.* Intelligendum de Ligustico sinu et Gallico;

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Florus, 3, 6, 9. Quod vulgo inculcatur vel *Transalpina* vel *Cisalpina* del. est. Orelli.

27. Duo maria. The Adriatic and Tuscan seas.—*Adornavit* pro simplici *ornavit*, i. e. instruxit. M.

28. Undequinquagesimo die. According to Zonaras, 10, 3, Pompey cleared the Tuscan and Libyan seas and the sea around Sardinia, Corsica, and Sicily in 40 days. Steinmetz retains the preposition before *Brundisio*. See ch. 12, 32.

32. Cretensibus. Pompey's interference in the affairs of the Cretans was quite unwarrantable. Q. Cæcilius Metellus was charged with the conduct of the war against Crete, and several towns had fallen into his hands, so that the war seemed almost at an end, when the Cretans sent to offer their submission to Pompey, from whom they hoped to obtain more favorable terms than from Metellus. Metellus, however, refused to take any notice of the legates whom Pompey sent, and continued to attack and subdue the towns until he brought the war to a close. Schmitz, *Rome*, pp. 379 and 381. On the construction, see Z. 812, in fin.

34. Spem .... non ademit obsidesque imperavit. On *que* after a negative, see note on p. 27, line 32.

36. Quo bello. See note on p. 11, line 1.

37. Extrema hieme. Z. 685

CH. XIII.—**40. Quid ceteræ, &c.** In transitions, the noun, on which the emphasis rests, and the pronoun which serves as it were to prepare the way for what follows, are often prefixed with *quid* to the interrogation itself. Cf. *de Senect.* 7, 22: *Quid jurisconsulti? quid pontifices? quid augures? quid philosophi senes? quam multa meminerunt? Tusc.* 1, 14, 32: *Quid illud? num dubitas,* &c. See Z. 769.

42. Quærenda est, i. e. postulanda, requirenda. Cf. § 64.

43. Artes = *virtutes*, qualities.

44. Innocentia. *Innocentia est affectio talis animi, quæ noceat nemini. Tusc.* 3, 8, 16. Cicero here uses it, as he explains more fully, § 37–40, for disinterestedness, as particularly opposed to avarice.

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2. Quanta facilitate. See § 42, where also *consilium* and *dicendi gravitas et copia*, i. e. eloquence, correspond to *ingenio*.

5. Cognosci atque intelligi. *Intelligere* denotes a rational discernment by means of reflection and combination; *cognoscere*, an historical discernment by means of the senses and of tradition. Död.

7. Ullo in numero putare. We may supply *esse* or *ponendum*. —*Centuriatus veneant atque venierint.* Allusion appears to be made here to Glabrio. Madvig: *veneant cent. atque venierint.*

9. Cogitare. Supply *putare possumus.* Benecke places a comma after *quid*, and construes the accusative and infinitive absolutely, as a question expressing indignation, according to Z. 609.

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10. Aut propter cupiditatem provinciæ. From desire to continue in his province, by their permission or assistance. For the custom had arisen of extending the time of office.

12. In quæstu reliquerit. At interest. Cf. *in Pison.* 35, 86. —*Vestra admurmuratio facit.* Your murmur of approbation shows, &c.

17. Ferant. Ambigue dictum est: nam significare potest et *afferant* et *ipsi perferant.* M. The context seems to decide for the former sense. If you supply from *quocunque* an *eo* with *ferant,* the ambiguity ceases.—*Itinera.* The marches in the social war, and in the wars between Sulla and Marius, against Sertorius, and Spartacus.

18. Per hosce annos. Of late years.

19. Fecerint. Madvig reads *fecerunt,* making the clause merely explanatory of the preceding substantive, *itinera;* the subjunctive brings it into dependence on *recordamini.*

21. Existimetis. Compare § 26, *putetis* and see Z. 750.

24. Continere = reprimere, coercere. Cf. *ad Q. frat.* 1, 1, 2: *quid est enim negotii, continere eos, quibus præsis, si te ipse contineas.*—*Ipse.* Z. 696, where *ipsum* the common reading is given, but see the end of that §, and compare the passage from *Q. frat.* 1, 1, 2.

26. Hic miramur, i. e. *quum ita se res habeant,* with a mixture of indignation, and irony.—*Tantum excellere.* See Z. 488, *Note* 2.

27. In Asiam pervenerint, bello piratico. Bake places a mark of interrogation after *ceteris,* and defends the reading *pervenerunt.* The subjunctive in the text expresses the ground of the wonder, or rather is given as the thought of those who wonder.—*Ut non modo,* &c. = non modo nihil rapuisse, sed ne pedem quidem, ubi non licebat, posuisse. On *non modo* for *non modo non,* see Z. 724, b.

30. Hibernent. Pompey was encamped on the borders of Cilicia.

31. In militem, upon a soldier, *in usum militum.*

32. Hiemis .... perfugium est, quo hiemis vitandæ causa confugimus; *avaritiæ perfugium,* quo avaritia ad se explendam confugit.

Ch. XIV.—**35. Age vero.** These particles are used in transitions to give animation to the discourse. The following verb is often in the plural.—*Qua sit temperantia.* The common text is *qualis,* &c. Madvig gives *quali.*

37. Inventum = paratum, effectum. So the Greeks use εὑρίσκειν for *parare, consequi.* Here the word figuratively expresses fertility of invention in devising the means of accomplishing some difficult object.

39. In ultimas terras, sc. Pamphyliam.

41. Devocavit. Did not call off or turn aside, allure, attract. He alludes to the common faults of Roman generals, and draws a comparison favorable to Pompey.—*Libido.* Pompey sent the mistresses of Mithridates back to their parents.

42. Nobilitas urbis ad cognitionem. Alluding to Athens, where he only remained long enough to offer sacrifices, and address his soldiers. 57

44. Signa. Statues of bronze, marble, ivory, &c.—*Tabulas*, sc. pictas. Cf. *in Verr.* 5, 48, 127: *In urbe nostra pulcherrima atque ornatissima quod signum, quæ tabula picta est, quæ non ab hostibus victis capta atque asportata sit.* He then proceeds to notice this robbery more particularly, and says that Athens, Pergamus, Cyzicus, Miletus, Chios, Samos, all Asia, Greece, and Sicily are to be seen in the environs of a few Roman villas. So *ad Q. frat.* 1, 1: *Præclarum est enim summo cum imperio fuisse in Asia triennium, sic ut nullum te signum, nulla pictura, nullum vas, nulla vestis, nullum mancipium, nulla forma cujusquam, nulla conditio pecuniæ .... ab summa integritate continentiaque deduxerit.*

1. Ea. Compare note on p. 27, line 10. 58

2. Omnes nunc. The common text has *quidem* after *omnes*, which Benecke defends as giving more emphasis to *omnes*.

4. De cœlo delapsum. So *ad Q. frat.* 1, 1, 2: *Nam Græci quidem sic te ita viventem intuebuntur, ut quemdam ex annalium memoria aut etiam de cœlo divinum hominem esse in provinciam delapsum putent.*

5. Homines Romanos. In a similar way, *homines Græci*, *homines Latini*, *homines adolescentes*, and the like occur. But the connection is found only where the genius and character of the nation or men are particularly had in view.

8. Lucet. Klotz and Madvig read *lucem afferre cœpit.*

9. Ea temperantia. Madvig, *hac temp.* What ablative is this? Z. 471.

10. Jam vero. In what way are these particles used? See note on p. 21, line 18.

11. Querimoniæ. *Querimonia* and *querela* are expressions of indignation; the former in the just feeling of the injured person, who will not brook an act of injustice; the latter in, for the most part, the blamable feeling of the discontented person, who will brook no hardship. The *querimonia* is an act of the understanding, and aims at redress or satisfaction; the *querela* is an act of feeling, and aims for the most part only at easing the heart Död.

13. Principibus excellit. Z. 387 in fin.

14. Consilio = *prudentia*, or, as in § 36, *ingenio.*—*Dicendi gravitate et copia.* Velleius, 2, 29, calls him *eloquentia medium.*

15. In quo ipso inest. In Cicero, what is the regular construction of *inesse?* Z. 416.

16. Hoc ipso ex loco, i. e. quum ex hoc ipso loco Pompeius concionaretur. The common reading is *hoc ipso in loco*, which Hand, *Turs.* 2, p. 627, inclines to prefer. Cf. 17, 52; 24, 70.

Page 58 **17. Hostes omnes omnium generum.** So Benecke, Klotz, and Madvig in accordance with the MSS. The common text is *hostes omnium gentium*, i. e. the pirates.

18. Sanctissimam judicarint. By unconditional surrender. Cf. § 46.

21. Et quisquam, &c. *Et* est commemorantis aliquid, quod fieri indignetur. Vid. § 45, 55; *pro Mil.* 33, 91.—*Transmittendum*, i. e. committendum, mandandum. See note on p. 47, line 10.

23. Quodam .... videatur. On this use of *quidam* to soften an expression, see Z. 707; and on the use of *videatur*, Z. 751.

Ch. XV.—**25. Certe** = at least, to limit an assertion. Z. 266, *Note* 1.

30. Opinione .... et fama. The common reading is *opinione .... famæ*, i. e. opinione, quæ fama et sermone hominum nititur. But to this Benecke objects that in this use the genitive is not commonly separated from its governing substantive, and the position of *non minus* would lead us to expect another genitive equally dependent on *opinione*.

34. Tam præclara judicia. Summis ad eum delatis imperiis. Besides, a triumph was allowed him in his 26th year, when he was only a knight; and in his 36th year, when he was legally eligible only to the ædileship, he was elevated to the consulship. *Judicium* often stands of an opinion or judgment which is expressed by acts, not by words. Cf. ch. 1, 2: *ex vestro judicio, &c.*

35. An vero. On *an* see *P. C.* 120; Z. 353. The orator continues the proof of his former proposition in the interrogative form to give animation to his discourse.

36. Illius diei. When the Gabinian law was passed.

37. Completisque .... templis. The Roman forum was surrounded by porticos, public buildings, and temples. The numbers collected on this occasion were so great that the forum could not contain them, and the steps leading to these buildings were filled. And Plutarch says, that the applause of the people was so deafening, that a crow, which was flying over, was stunned by the concussion of the air and fell among the crowd.

38. Ad commune omnium gentium bellum. Against the pirates.

40. Ut .... non dicam neque, &c. See Z. 347. We use *ne dicam* to indicate that we could say something more important, but do not wish to say it; on the other hand, when we say *ut non dicam*, we signify that we do not wish to say what might be said, because it is not necessary, and we have said enough for the present purpose. So *pro Murena*, 15, 32: *ut aliud nihil dicam.*

41. Quantum auctoritas. Klotz follows the MSS., and retains *hujus* before *auctoritas*.

43. Qui quo die. The relative to connect propositions is found even before other relatives. Z. 803.

44. Vilitas annonæ. The grain merchant anticipating a large supply from the foreign market, in consequence of the seas being cleared of the pirates, was glad to dispose of his store before its arrival. —*Ex summa inopia*, i. e. statim post summam inopiam.

2. Spe ac nomine. Plutarch says, as the price of provisions fell immediately, the people were greatly pleased, and it gave them occasion to say, "The very name of Pompey had terminated the war."

3. Accepta .... calamitate. The defeat of Triarius, § 25.

4. Invitus admonui. Z. 682. So § 25: *Sinite hoc loco*, &c.

7. Ad ipsum discrimen. At the very critical moment. So Benecke, Klotz, and Madvig. Other readings are *ad ipsum tèmporis*, and *ad id ipsum ejus temporis*.

8. Ad eas regiones, sc. in Pamphyliam et Ciliciam.

10. Insolita victoria. For he had been conquered by Sulla, Murena, and Lucullus. His victory was over Triarius.—*Continuit.* This is appropriate to Mithridates, who was near; as *retardavit* to Tigranes, who was at a distance.

12. Perfecturus sit .... perfecerit. So Benecke, Klotz, and Madvig for *profecturus sit .... profecerit.*

14. Ipso nomine. Z. 695.

Ch. XVI.—**15. Age vero.** See note on p. 57, line 38.—*Illa res.* The following circumstance. *Ille* often refers forward to what follows. It is here explained by the sentence, *quod .... dediderunt.*

18. Cretensium legati. See note on p. 56, line 32.

19. Noster imperator. Q. Cæcilius Metellus Creticus, consul A. U. C. 685.

20. In ultimas .... terras. Pamphylia; *ultimas* in reference to Rome.

25. Ad eum potissimum. Instead of to Q. Metellus who was of consular rank, while Pompey was only a quæstor. That Mithridates ever sent an ambassador into Spain to Pompey seems highly improbable. In the preceding line Madvig omits *semper*, and line 24 reads *in Hispaniam.*

28. Judiciis. See note on p. 58, line 34.

29. Existimetis. See note on p. 57, line 21.

31. Reliquum est, ut, &c. Z. 621.

32. Meminisse. On the omission of the conjunction *vero* in adversative clauses, see Z. 781.

33. De potestate deorum, i. e. de re ea quæ est tota in potestate deorum, ut cavendum sit, ne in ea plus homini tribuamus. Sic bene explicat fortunam.

34. Timide. Ne quod est deorum, homini tribuisse videar. Ideo

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59 pauca, quia *timide.*—*Maximo.* Q. Fabius Maximus, called Cunctator from his caution in war.

35. Marcello. M. Claudius Marcellus, celebrated as five times consul, and the conqueror of Syracuse.—*Scipioni.* Manutius understands the younger Africanus.—*Mario.* C. Marius, seven times consul. Cf. note on p. 45, line 29.—*Et ceteris.* In concluding an enumeration of several persons or things, is *et* common with *alii* and *ceteri?* Z. 783.

39. Et ad gloriam. Ernesti rejects the preposition. The best authorities give it. Consult note on p. 18, line 5.

41. De quo nunc agimus. Some editions give *quo de,* placing the preposition after its case. On this usage in regard to *de,* see Z. 324.

44. Invisa diis, i. e. if he said, *in illius potestate fortunam positam esse.*—*Ingrata,* if he failed *præterita meminisse, reliqua sperare.*

60 **2. Domi militiæ.** So also Klotz. Madvig, and others, *militiæque.* For *quantaque* Matthiæ prefers *quanta,* since Cicero is not speaking of both the greatness of Pompey's deeds and of his good fortune, but only of the latter. Such a connection, however, of the more important with the less important, by means of an explanatory conjunction, is not uncommon. We might properly have expected, *quanta felicitate tantas ille res,* &c.

3. Ut = how.—*Assenserint.* In Cicero the active form of this word is very rare, except in the perfect tense and in the moods and tenses derived from the perfect. The deponent or middle form answers to its meaning more nearly than the active.

4. Obtemperarint .... obedierint .... obsecundarint. Observe the propriety with which these words, which have the same general signification, are selected and applied to their several subjects. *Obedire* denotes obedience as an obligation, and a state of duty and subjection; *obsecundare* and *obtemperare,* as an act of free will. The *obtemperans* obeys from persuasion, esteem, or fear, evincing his conformity to another's will; the *obsecundans* from love and complaisance, showing his readiness to obey. Död.—*Tempestatesque. Tempestas* is a *vocabulum medium,* and like *valetudo, facinus, dolus,* &c., taken not only *in malam,* but also *in bonam partem.* The "favor" of the elements was especially apparent in the piratical war.

5. Neminem unquam. See Krebs, 527; Z. 738.

6. Qui .... tacitus auderet. *P. C.* 483 (2); Z. 556. On the use of *tacitus,* which may be rendered adverbially, see Z. 682.

10. Sicuti facitis. As evinced by the extraordinary honors and offices conferred on him.—*Velle et optare. Velle* means to wish, and co-operate towards the realization of one's wish; *optare,* to wish, and leave the realization of one's wish to others, or to fate; *expetere,* to wish, and apply to others for the realization of one's wish. Död.

12. Quare quum, &c. The general conclusion before proceeding to the confutation.

16. Dubitabitis .... quin ... conferatis. Is this the common construction of *dubito* or *non dubito* when the meaning is "to scruple" or "hesitate"? Z. 541. *Quin* is, however, necessary when *dubitare* stands in the passive or gerund: *Domitius sibi dubitandum non putavit, quin prœlio decertaret.* Cæs. *B. C.* 3, 37. So also, *Quumque nec mihi, nec fratri meo dubium esset, quin Brundisium contenderemus.* Cic. *Att.* 8, 11, *D.* 3.

CH. XVII.—**19. Quod si** = *quare si*, is more than the simple *si*. *Quod* serves to indicate a connection with the preceding proposition. See Z. 342 and 807. How may we express this *quod?* Z. 807. In rendering it may also be sometimes unexpressed, and should not *always* be translated by "because if."

20. Erat deligendus. *Si* with the imperfect or pluperfect subjunctive is generally followed by the indicative of the historical tenses, most frequently by the imperfect indicative, in expressions which denote "must," "should," "can," "may," &c.; also the participle of the future active, almost without exception, and the gerund and gerundive, regularly are connected with *erat, fuit, fuerat.* See Z. 519, *a.* The subjunctive denotes the simple thought or conception, the indicative the actual undoubted fact, in itself true and certain.

22. Adjungatur, ut .... adsit. See Z. 622.

23. Ab iis, &c. Pompey had just brought the piratic war to a close, and was now in Cilicia, and could receive troops from Lucullus or Glabrio, the proconsul of Bithynia.

25. Cetera. Supply *bella* from the next clause, and connect *summa* with *salute.* On the *cum*, see Z. 472.

26. Bellum regium, adversus Mithridatem ac Tigranem.—*Committamus.* So also Klotz and Madvig. See Z. 530.

28. At enim. These particles are used in anticipating an objection for the purpose of removing it.

29. Vestris beneficiis amplissimis affectus = *summis honoribus ornatus;* for Catulus had been consul with Lepidus twelve years before, and offices among the Romans were regarded as benefits, which the state conferred, and therefore named *beneficia,* to which *amplissima* is here added to denote the high dignity of the consulship. —*Q. Catulus.* Throughout life he was distinguished as one of the prominent leaders of the aristocracy, and being consul along with M. Æmilius Lepidus, A. U. C. 676, the year in which Sulla died, he steadily resisted the efforts of his colleague to bring about a counter-revolution by abrogating the acts of the dictator. During the progress of the Catilinarian plot, he strenuously supported Cicero, and either he or Cato was the first to hail him as "*parens patriæ.*" Catulus died during the consulship of Metellus Celer, A. U. C. 694; "happy," says

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60 Cicero, "both in the splendor of his life, and in having been spared the spectacle of his country's ruin."

31. Q. Hortensius was so distinguished as an orator, that Cicero calls him (*Divin. in Q. Cæcil.* 7) *rex judiciorum.* This domination over the courts continued up to about the year, U. C. 684, when Hortensius was retained by Verres against Cicero. The issue of this contest was to dethrone Hortensius, and to establish his rival, Cicero, as the first orator and advocate of the Roman forum. Hortensius attached himself closely to the dominant Sullane or aristocratic party, and after his consulship, A. U. C. 685, took a leading part in supporting the optimates against the rising power of Pompey. Up to Cicero's consulship, A. U. C. 691, Hortensius and Cicero were continually opposed, professionally and politically. After this period they usually acted together *professionally,* for Hortensius retired from *political* life in the year 694. He possessed enormous wealth, and of his luxurious habits many stories are told.

32. Multis locis. See Z. 481.

33. Cognoscetis. So Benecke, Madvig, and others, instead of the common reading *cognoscitis,* which Klotz retains. See Jordan, *ad Cæc.* pp. 166, 167. Benecke considers this passage as closely connected with chap. 23, § 68: *Quod si auctoritatibus, &c.,* to the close of the chapter. The meaning then is, "Although I shall offset to the views of these men (Catulus and Hortensius) the views of other distinguished men (§ 68), we can however for the present pass these by, and seek the truth from the merits of the case."

34. Auctoritates = sententias, quæ a viris gravibus profectæ auctoritatem et vim habent.—*Fortissimorum.* In reference to the boldness of their declarations, *quoniam neque metu, neque ulla alia re deterrebantur, quin libere dicerent, quæ sentirent.* It is also an expression of courtesy, as *clarissimorum* which follows and denotes their rank as senators.

35. Tamen. The repetition of this particle after *tametsi* is not uncommon in Cicero. Z. 341.—*Omissis auctoritatibus,* i. e. prætermisso pondere, quod illorum sententiæ, ut hominum honoratorum habent.

36. Hoc facilius. Z. 487. Supply *exquirere possumus.*

37. Adhuc. Z. 292.

39. Igitur is used as a formula of commencement, to introduce a narration, argument, &c., the subject having generally been mentioned before.

40. [Unum.] Klotz and Madvig without brackets.

43. Tu idem. Z. 127 and 697.—*Pro.* See Z. 312; and *P. C.* 56, in fin.

61 **1. A. Gabinium.** Gabinius was tribune of the people in A. U. C. 687 and moved that the command of the war against the pirates

should be given to Pompey. Having dissipated his fortune by extravagance and profligacy, if he had not carried his law, says Cicero, (*post Red. in Sen.* 51), such were his embarrassments, that he must have turned pirate himself. He afterwards became consul in 696. See introduction, at the bottom of p. 225.

2. Uno. For Pompey was not *named* in the law. See introduction, p. 226.

3. Ex hoc ipso loco, i. e. ex rostris.

4. Contra legem eam. Klotz and Madvig read *eam legem*.

6. Vera causa. The true interests of the state. See note on page 47, line 12.

9. Capiebantur. See ch. 12.

12. Privatam rem. See §§ 31, 32.

Ch. XVIII.—**14. Non dico, &c.** The sense is, "I speak not now of larger states, which were distinguished for their navies and maritime power; even small islands and states could protect themselves against the pirates. How disgraceful then for the Roman empire not to be able to defend itself."

15. Atheniensium, sc. civitatem. For nearly seventy years the Athenians commanded the maritime coasts, extending even to the Euxine and Pamphylian seas.

16. Karthaginiensium. The naval power of the Carthaginians was for a long time unrivalled in the Mediterranean.

17. Rhodiorum. The Rhodians often aided the Romans in their maritime wars, and Strabo testifies to their excellent discipline and naval prowess.

19. Quæ civitas unquam tam tenuis. After *unquam* Klotz reads *antea*, and Madvig [*antea*].

24. In navalibus pugnis. Particularly the victories of Duilius, Regulus, and Catulus in the first Punic war; and of Livius and L. Æmilius Regillus over the fleet of Antiochus, A. U. C. 563, 564. About half of the Roman fleet was furnished by the Rhodians, and they were further assisted by King Eumenes of Pergamus. The fleet of Antiochus was commanded by Polyxenidas.—*Ac multo* = atque adeo multo maxima parte.

25. Utilitatis. Rerum ad usum vitæ necessariarum, i. e. vectigalium.—*Dignitatis.* See § 32, foll.

26. [illegible] See § 14.

27. Persenque. See Z. 52, 4; and note on p. 45, line 28. We must infer this defeat, which is not directly mentioned by historians, from the naval triumph of Octavius. Liv. 45, 42.

29. Ii. So § 33 in some editions the reading is *vos, qui .... ii nunc,* &c. This pronoun is often used to resume or repeat with emphasis a preceding noun or pronoun. See note on page 27, line 10; and compare the next sentence, *nos .... iidem.*

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33. Delos. This island possessed an excellent harbor and situation, lying in the route of those who traded between Asia and Greece, or Italy; and, after the overthrow of Corinth by Mummius, was very celebrated as a commercial place, until it was almost destroyed by the generals of Mithridates.—*Tam procul*, tamen nostris armis et opibus tuta.

35. Referta divitiis. By its commerce and by the costly gifts and deposites made in its temple. Cf. C. Nep. *Arist.* c. 3.—*Nihil timebat.* Delos is instanced as furnishing a contrast between former security and present insecurity.

37. Appia jam via. This led from Rome to Capua and across to Brundisium. Where it touched the sea, or was near to it, it was insecure owing to the landing of the pirates.—*Carebamus.* Because we had not free and unobstructed enjoyment of them.

38. Non pudebat, &c. Pudori esse debuit oratoribus hinc (e rostris) verba facere, quod potestatem illam maritimam penitus amisisset populus Romanus. Hortensius may be particularly alluded to in reference to §§ 52 and 53.

40. Exuviis .... spoliis. *Præda* and *manubiæ* denote booty only as a possession and gain that has been made by conquest; whereas *spolia* and *exuviæ*, at the same time, are signs of victory and of honor. Död.

Ch. XIX.—**41. Animo** = *mente, consilio*, with good intention, in good faith.

43. Ea, quæ sentiebatis. Are such circumlocutions common? Z. 714, 3.

44. Dolori suo. *Dolor* denotes an inward feeling of pain, as from a wound or blow, especially when the sensation or feeling is fresh. Liv. 41, 10, joins it with *indignatio*, in which sense it may here be taken. The people were indignant at the wrongs and contumely they suffered from the pirates.

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1. Una lex. The Gabinian.—*Unus vir.* Pompey.

3. Vere. The ill success of former generals in their efforts to suppress the pirates might have made the Roman supremacy appear questionable. Now, however, it has at last recovered its true ascendency.

5. Obtrectatum esse. Impersonal, *P. C.* 285; Z. 412, in fin.; Krebs, 171. On the meaning of *obtrectare*, see Arnold's Nepos, *Arist.* 1, 1.

6. Gabinio dicam, anne Pompeio, an utrique. For the forms of disjunctive questions, see Z. 554. *Anne* is not frequently used, and only in the second member, and generally when the interrogative particle is omitted in the first member.—*Id quod.* *P. C.* 36.

7. Ne legaretur A. Gabinius. In his tribunate he procures a law to be passed, investing Pompey with supreme command.

When obtained, Pompey asks for his lieutenant this same Gabinius. Such an attempt, leading to corrupt jobbing, was properly resisted.—*Expetenti ac postulanti.* On *expetere*, see note on p. 60, line 10. *Postulare* = to make claims, or demand, with reasons of right and equity, or in accordance with relations and circumstances. By the Gabinian law, Pompey, as Plutarch (*Pomp.* 25) informs us, was empowered to choose out of the senators fifteen legates, or lieutenants, to act under him. He actually chose twenty-four (Plut. *id.* 26), which number accords more nearly with Appian (*B. Mith.* 94), who gives the number as twenty-five. The persons appointed to this office were usually men of great military talents, and were nominated by the consul or dictator under whom they served; but the sanction of the senate was an essential point, without which no one could be legally considered a legatus. But the senate baffled Gabinius in his favorite project of following Pompey into Asia, by successfully opposing, or, at least, delaying his election as one of the legates.

9. Idoneus .... qui impetret. What other adjectives have the same construction? Z. 568. Consult also *P. C.* 486 and 212*.

14. Periculo. For if Pompey had been unsuccessful, the blame would also have attached to the proposer of the law by which Pompey was put in command.

15. An C. Falcidius, &c. On the form of the sentence, see note on p. 9, line 19. In the second member, the future or subjunctive is more common.

16. Quos omnes. Not *quorum omnes.* Compare note on p. 13, line 33; and see Z. 430, in fin.—*Honoris causa* = out of respect, with all due respect.

18. Diligentes = strict, scrupulous, careful, sc. in adhering to the rule that tribunes should not be appointed legates to a general who had received his appointment during their tribuneship. Confirmation of the general's choice had become so much the rule, that Pompey must have deeply felt the rejection of Gabinius. To wound him still more deeply, laws which, as Cicero claims, had in the case of Falcidius and others been neglected, or not applied, were revived and applied against Gabinius; viz. that no one who had proposed a bill should participate in the commission under it. Klotz retains: *in hoc uno Gabinio.*

20. Per vos. By your suffrages = *vestris suffragiis*, at the end of the chapter.

21. Deberet. The subjunctive imperfect refers to the implied conditional clause, *si esset in exercitu Pompeii.*

22. Ego me profiteor relaturum. Since a *legatio* required a decree of the senate, it was necessary, if Gabinius was to be a legate to Pompey under the Manilian law, that a decree should approve. And as it devolved first upon the consuls to propose the question, Ci-

Page 62 cero says, *Consules spero*, &c.; and immediately adds, in order to stimulate the consuls to act, that he (as prætor), in case they decline, will bring forward the business of Gabinius's appointment. For it appears to be going too far to deny, as some do, that a prætor could in the presence of the consul propose a decree. He must however submit, if the higher magistrate interfered to prevent his design.

23. Impediet . . . . . quo minus. *P. C.* 94 and 98; Z. 543.—*Inimicum edictum.* With reference to the preceding note, this may mean an edict issued by the consuls, either of a general nature to prescribe the mode of conducting business in the senate; or to define the mode of procedure in reference to a single session. Cicero calls it *inimicum*, as intended to trammel and thwart in his purpose the mover of a measure, and declares that he will disregard it and persist in his motion. In such a case nothing was left to the consuls but to intercede, when the prætor must yield. Cicero could be bold, because the grounds of objection to Gabinius's appointment, which existed under the Gabinian law, of which he was the mover, no longer existed under the Manilian law.

24. Jus, sc. præturæ. Ernesti makes it the right which the tribunes had to be appointed legates, and *beneficium*, the honor and rights of the tribuneship itself. Benecke understands *jus* of the right of the people generally to bestow its honors on whom it pleases, and *beneficium* of the favor thereby conferred. L. v. Jan rejects both of these opinions, and understands the words of the right of the people to appoint Pompey to the command of the war against the pirates. As the senate were opposed to this measure, they, in revenge for their defeat, refused to confirm Gabinius as legate to Pompey. The overcoming of this revenge, therefore, by the appointment of Gabinius, will be a triumph of the rights of the people.

25. Intercessionem, sc. tribunorum. A compliment to the people, to whose tribunes he was ready to defer.

26. Qui minantur, se intercessuros, aut, alii ut intercedant, operam daturos.

29. Socius adscribitur, i. e. pro socio Pompeii in bello maritimo habetur, ejus gloriæ particeps est. Cicero intimates that the tribunes had no just grounds for interceding, and reminds his hearers of Gabinius's special and peculiar claims to the office of legate. See § 57.

30. Illud bellum. Madvig, *id bellum.*

Ch. XX.—**32. Reliquum est, ut . . . . videatur.** See Z. 621; and compare § 27: *restat, ut . . . . dicendum esse videatur.*

34. Quæreret. See *P. C.* 415, s; Krebs' Guide, 232 (4); Z. 505, *Note.*—*Si . . . . poneretis, si quid eo factum esset.* Notice here a double *protăsis* without co-ordination or subordination of the one to the other. In English we might put them in co-ordination by the conjunction *and*, but this is not allowable in Latin, whether they both

stand immediately together, or inclose the *apodŏsis*, or leading sentence. Render "When he inquired of you, if you were to place all your dependence on Pompey alone, on whom you would set your hopes, in case any thing should befall him," or (inserting one protasis) "on whom, if any thing should befall him, you would set your hopes." —*Si quid eo factum esset.* A euphemism to avoid uttering a word of ill-omen or gloomy import. Compare note on p. 39, line 8.—*Eo. P. C.* 291, in fin.; Z. 491. What other case is also found in this construction, and what preposition is sometimes expressed with the ablative?

36. Quum omnes .... dixistis. Z. 580. This anecdote is given in Plut. *Pomp.* 25, and in Vell. Pat. 2, 32. The occasion was when Catulus rose up to speak against the Gabinian law.

37. In ipso. Madvig: *in [eo] ipso;* Klotz: *in eo ipso,* who says that as the Quirites could not cry out *in ipso spem habebimus,* but *in te ipso,* &c., so in Cicero's speech *eo* is almost indispensable.—*Talis est vir,* &c. Cf. *Sest.* 47, 101: *qualis nuper Q. Catulus fuit, quem neque periculi tempestas, neque honoris aura potuit unquam de suo cursu aut spe aut metu demovere.*

40. In hoc ipso. This refers to the words of Catulus: *in uno Cn. Pompeio non omnia ponenda,* and *quod* gives the reason for Cicero's differing from Catulus on this point.

43. At enim. An objection. See note on p. 60, line 28.—*Ne quid* is the reading of Benecke, Klotz, Madvig, and others.

44. Non dicam. *Non dico, non dicam, non commemorabo* are forms of expression by which the orator, without omitting any thing that he wishes to say, under the appearance of brevity gains the good-will of his hearers, and their attention in expectation of something more important to come. Cf. *in Rull.* 1, 7, 21.

1. In pace consuetudini, in bello utilitati. Thus Marius too, in later times, presented two cohorts of Camertians with the freedom of the city, on the field of battle, for their gallant resistance to the Cimbrians; and when told that it was illegal, he replied, that the din of arms drowned the voice of the laws. *Val. Max.* 5, 2, 8.

3. Novorum consiliorum rationes. New measures. *Ratio* is often used as a circumlocution. Z. 678. The concluding remark of note on p. 19, line 3, may apply here.

4. Duo bella maxima. The third Punic and Numantine wars. —*Ab uno imperatore.* P. Scipio Æmilianus. See Schmitz, *Rome,* pp. 307 and 316.

8. Vobis .... esse visum. That it seemed good to you, that you thought it proper.

10. Cum Cimbris. Consult note on p. 45, line 29.

Ch. XXI.—**14. Tam novum.** The meaning of *novum* is determined by the words *præter consuetudinem, inauditum, inusitatum,*

Page 63 *singulare, incredibile*, with which Cicero below varies the expression. He introduces further variety in the construction. The first three are followed by *quam* and the *acc. c. inf.*, and the second three by *quam* and *ut* with the subjunctive. We may also notice the skill with which justness of proportion between uniformity and variety is again consulted for in the answers to the questions.—*Adolescentulum, privatum.* See note on p. 54, line 26; and compare *Vell. Pat.* 2, 29, 1.

15. Conficere = *comparare, contrahere, conscribere*, to enrol, levy.

18. A senatorio gradu. The age at which a person might become a senator, was probably at this period 27. Pompey was at this time only 24.

20. Bellumque in ea. Klotz reads, *in ea provincia.*

23. Equitem Romanum triumphare. On his return from Africa, he demanded a triumph, which was at first refused. Pompey however persisted, and was at last allowed a triumph at the age of 25. Plutarch says, it would have been nothing strange if Pompey had been a senator before the age fixed for it; but it was a very extraordinary instance of honor, to lead up a triumph before he was a senator. And it contributed not a little to gain him the affections of the multitude; the people were delighted to see him, after his triumph, class with the equestrian order.

25. Visendam. *Visere*, as the frequentative of *videre*, is stronger, and equivalent to *studiose videre.* Its meaning of "go to see," is also involved. Therefore, Ern.: non modo vidit, sed etiam studiose et frequenter spectavit. Klotz reads *omnium* for *omni.*

26. Quid tam inusitatum, quam ut. So below, *quid tam singulare, quam ut*, and *quid tam incredibile, quam ut.* See Z. 623. Above, with *novum, præter consuetudinem*, and *inauditum*, the construction is the accusative and infinitive.—*Duo consules.* They were D. Junius Brutus and Mam. Æmilius Lepidus, A. U. C. 677.

28. Bellum maximum. The Sertorian or Spanish war.

29. Non nemo. Z. 755.

31. Pro consule, i. e. as proconsul, with proconsular powers.—*L. Philippus.* A celebrated orator. Cf. *Brut.* 47, 173. Cos. A. U. C. 663.

32. Pro consulibus. Here is a bonmot, consisting of a play upon words, by which the incapacity of the consuls of that year is intimated. Cicero, who also mentions it in the 11th Philippic, 8, 18, skilfully makes use of it here, as though it had been uttered simply to glorify Pompey.

33. Rei publicæ bene gerendæ, i. e. belli rei publicæ causa suscepti bene gerendi.

36. Legibus solutus. By the *lex annalis*, A. U. C. 574, it was decreed that the consul should be 43 years of age. The age requisite

for the ædileship, which was the first of the curule magistracies, by the same law was 36. But Pompey was consul when he was only 35.

38. Iterum .... triumpharet. A. U. C. 683, at the age of 35, over Sertorius. Usually no one could be permitted to triumph unless he had held the office of dictator, of consul, or of prætor.

42. Prefecta sunt = ei tributa sunt.

43. A Q. Catuli atque a cet. .... hominum auctoritate. On the repetition of the preposition, see note on p. 18, line 5.

CH. XXII.—**1. Videant, ne, &c.** Z. 534.

5. Suo jure facere aliquid dicuntur, qui libere, pro arbitrio, nullo impediente, impune faciunt. With perfect right.

6. Vel contra omnes. Z. 734.

7. Iisdem istis reclamantibus. Hortensius, Catulus, and their adherents.

8. Unum illum ex omnibus. Z. 691.—*Quem . . . præponeretis.* Z. 567.

10. Studia vestra. Your views and wishes.

11. Sin autem vos plus .... vidistis. But if you then saw more clearly the true interests of the state, if you better understood what was for the real welfare of the state.

14. Et sibi et ceteris populi ..... auctoritati parendum. *P. C.* 332. Compare *de Orat.* 1, 23, 105: *Gerendus est tibi mos adolescentibus.* How might Cicero have avoided the two datives, one of the agent, the other of the object? Z. 651; *P. C.* 335, h.

15. Atque, &c. This passage down to *gaudeant,* § 68, is by Orelli printed in italics and included in brackets. With reference to which he makes the following note: "Quæ literis inclinatis exprimenda curavimus, ea subditicia et ex aliqua declamatiuncula hic inculcata esse viderunt Naugerius, Pantagathus, Blochius, qui subtiliter ea de re disputavit, et Madvig." But Madvig, in his second edition of select orations from Cicero, gives it without any indication of its being of doubtful genuineness.

18. Magnæ et multæ. Madvig retains, with Ernesti, *multæ et magnæ.* The text is from *Cod. Erf.* and given also by Klotz. Of it Orelli says, "utique contra veri Ciceronis usum; cf. § 23." Compare Krebs' *Guide,* § 81.—*Difficile est.* Owing to the wealth and remote situation of those countries.

19. Interiorum nationum. Remote from the sea.

20. Nihil aliud nisi. Z. 735 and 771, *Note.* Benecke defends *nihil aliud quam.*

25. Per hos annos. Of late years.

29. Quibus = ut iis.—*Causa belli* = prætextus, simulatio belli. Dicitur enim *causam inferre,* qui simulat causam ac fingit.

36. Non modo .... sed. Z. 724, says, When a transition from greater to lesser things is to be expressed, we usually find *non modo*

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64 .... *sed* without the *etiam*. Arnold (*P. C.* Part 2, 505) objects, that the second is *always* the *stronger* statement. Here, though a *tribunus* is in himself *less* than an *imperator* or *legatus*, yet that a province could not endure even a tribune, is a stronger assertion than that it could not bear an *imperator* or *legatus*.

37. Animos ac spiritus. Superbiam et quæ inde oritur, libidinem atque avaritiam. On the plural, see Z. 92.

CH. XXIII.—**40. Qui se a pecuniis.** Madvig adopts the conjecture of Benecke and omits *se*. Benecke retains it in [ ].

42. Manus oculos animum cohibere. Cf. *de Off.* 1, 40: *At enim prætorem, Sophocle, decet non solum manus, sed etiam oculos abstinentes habere.*

44. Ecquam. Z. 136. For even if a rich city were really disposed to peace and tranquillity, some occasion was sought to charge it with disobedience and contumacy, for the purpose of plundering its riches.

65 **4. Requisivit** = desideravit.—*Videbat,* sc. *ora maritima,* i. e. habitatores, incolæ oræ maritimæ. Z. 675. The common reading is *Videbat enim populum Romanum non locupletari ..... neque nos,* &c. The reading of the text is defended by Benecke, and given by later editors, except that Madvig reads *neque nos* instead of *neque eos.* It best suits the connection, and is nearest to the MSS. The sense is: For they (i. e. the inhabitants of the coast) saw that the prætors, with the exception of a few, yearly enriched themselves from the appropriations of the public money, and that they in the name of a fleet attained nothing else, &c. From this passage it appears that the prætors, along the Mediterranean and particularly in Asia Minor, yearly received appropriations from the public treasury, for the purpose of fitting out ships; and that they embezzled this money, and applied it to their own use. This neglect of their naval force left them too weak to resist the pirates, and subjected them to defeats, which brought disgrace upon the Roman name.

6. Classium nomine. Z. 679.—*Detrimentis accipiendis.* The difference in the use of the participle in *dus* and of the perf. pass. participle, though we may often render both by a verbal noun in *ing,* should be attended to. It is the difference of a completed and past action and one yet to be. Compare *urbis condendæ principium profectum a Romulo,* and *institutæ rei publicæ clarum exordium. De Rep.* 2, 2. Also, *superstitione tollenda religio non tollitur. De Div.* 2, 72. *Sublata superstitione* would represent this action as prior to the other; but *tollenda* marks it as continuing at the same time. So in *Cat.* 2, 10, 21: *male gesto negotio* for *gerendo,* would modify the conception, though in itself giving a just idea.

8. Jacturis, from *jacĕre,* properly the throwing of goods overboard in a storm; then any loss whatever; and here, as a kind of

waste or loss, expense, largess, made to those through whose aid they had received their province.

9. Conditionibus. Engagements. Klotz reads, *et quibus conditionibus.*—*Videlicet isti*, sc. Hortensius, &c., ironically; for he had said before, *noverunt sociorum vulnera*, &c. Z. 345.

11. Quum .... tum. Z. 723.—*Alienis vitiis magnum* Quia vitiis aliorum vacat; with perhaps an allusion to the cognomen of Magnus, which he had received from Sulla.

13. Nolite dubitare. Z. 585, *Note* in fin., and 586.—*Quin* Z. 541.

14. Inter tot annos. The correctness of this expression was formerly questioned, but is sufficiently defended by several similar passages. On the ground of this doubt, however, some editors have erased *annos*, understanding *imperatores;* and the correspondence between *huic uni* and *inter tot* seems to favor this reading.—*Unus .... quem .... gaudeant.* *P. C.* 484 (*a*); Z. 561.

17. Bellorum omnium, i. e. omnis generis.

18. P. Servilius. Consul A. U. C. 675. He was the first of the Romans who led an army to Mount Taurus, and for his victory over the Isaurians, whom he reduced to subjection, he received the cognomen of Isauricus. He was joint advocate of the law with Cicero. —*Marique.* He had been successful in several engagements with the pirates.

19. Quum .... deliberetis. The subjunctive denotes a possible case, and asserts conditionally.

20. C. Curio. C. Scribonius Curio, consul A. U. C. 678. He triumphed over the Dardanians, A. U. C. 683; and was the first Roman general who penetrated to the Danube.

22. Præditus. This word does not well suit *rebus gestis.* Here is a kind of zeugma, and *insignis* or *conspicuus* may be supplied.—*Cn. Lentulus*, Clodianus. Consul A. U. C. 682.—*Pro.* Z. 312.

24. C. Cassius, Varus. Consul A. U. C. 681.—*Cassius, integritate*, &c. The genitive or ablative of quality seldom stands, as here, in immediate connection with proper names. The connection is commonly effected by means of the apposition of *homo* or *vir.* So too, not *sapientissimus Socrates, Corinthus amplissima*, but *Socrates, sap. homo ; Cor. urbs ampl.*

25. Videte, ut. This is the reading of the MSS., and suits the sense. See Z. 614, in fin. From *ut* appears to have arisen *utrum*, and then *num*, which is the common text. Madvig adopts a former conjecture of Orelli, and gives *videte, horumne.*

CH. XXIV.—**33. Cum tanto studio.** Z. 472.—*Nunc iterum* The first was in passing the Gabinian law. An earlier reading is *non iterum ..... vidimus.* Benecke contends also for *adesse videmus*, claiming with Wunder, *p. Planc.* 12, 29, p. 101, that the particle

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65 *quum*, as often as it has the meaning of *eo, quod*, necessarily requires the indicative. See *P. C.* 488 (*c*).

35. De re. De tanto viro deligendo.—*De perficiendi facultate.* About our ability to carry through this choice. The numbers and zeal of the people show their sentiments.

37. Atque is here explanatory. The *beneficium* consisted in the prætorship which had been conferred on him.

40. Polliceor ac defero. *Defero* = ultro offero, confero, ut numerosior cadat oratio, adjectum verbo *polliceor*.

41. Huic loco temploque. There were numerous temples around the forum. We are, however, to understand *templo* of the *rostra*, as a nearer explanation of *loco*. Cf. *in Vatin. in rostris, in illo, inquam, augurato templo ac loco;* Liv. 8, 14: *rostraque id templum appellatum*, because consecrated by auguries.—*Præsident.* See note on p. 39, line 7.

42. Ad rem publicam adeunt. Compare *ad magistratus remque publicam accedere. Verr.* 1, 12, 33. These phrases are used of those who are candidates for public offices, or who are entering upon public life clothed with civic honors.

43. Cujusquam. Pompey or his friends.—*Neque quo.* Z. 536. We should expect "sed quod hoc rei publicæ utilissimum esse confido" to follow, but the construction changes at § 71. In a similar way the construction is broken off, *ad Q. frat.* 2, 2; and *pro Quinct.* 3, 11.

66 **2. Honoribus.** The consulship particularly, since this was the only remaining object of Cicero's ambition.

3. Ut hominem præstare oportet. So far as a man can engage to do.

4. Honorem. Madvig and Klotz, *honores*.

5. Eadem illa nostra laboriosissima ratione vitæ, sc. vos defendendi.

7. Mihi. Z. 419.

8. Tantumque abest, ut . . . . . ut. And so far from seeming to have aimed at some grateful return, I even, &c. *Tantum abesse*, followed by two clauses with *ut*, is almost without exception used impersonally; the first sentence with *ut* forming its subject, and the second sentence with *ut* depending upon the *tantum*.

10. Simultates. See Arnold's Nepos, p. 177.

11. Non necessarias. For I might have avoided them.—*Non inutiles.* An instance of the figures *litŏtes* and *asyndeton*. Their advantage to the state Manutius finds, in the ascertaining of the will of the citizens, so as to be able to distinguish the good from the bad; Benecke, because he incurred them in undertaking a cause which would be of the highest utility to the people; M'Kay, because public good often accrues from the disputes of political opponents by reason of the watch which they keep on each other's actions.

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12. Hoc honore. The prætorship.

13. Vestram voluntatem. Your inclination to confer this command on Pompey.

15. Commodis et rationibus. The latter as a synonym of the former is more comprehensive: omnes enim res dicit, quæ ad ipsum pertinent.





THE ORATION FOR M. MARCELLUS.

INTRODUCTION.

M. Claudius Marcellus had been a friend of Cicero's from his earliest youth; their views on political affairs had generally coincided, and they continued to act in concert until the breaking out of the civil war. His merits as an orator are said to have been of a high order, and inferior to few except Cicero himself. He is first mentioned as curule ædile with P. Clodius, A. U. C. 698. In February of that year he defended Milo, at Cicero's request, against the charge of violence brought against him by Clodius. In 700, he was one of the six advocates who defended the cause of M. Scaurus; and after the death of Clodius, 702, took a prominent part in the defence of Milo. In the year 703 he was consul with Ser. Sulpicius Rufus, and during the period of his magistracy he showed himself a zealous partisan of Pompey, and sought to secure his favor by urging the senate to extreme measures against Cæsar.

But all the party zeal and animosity of Marcellus did not blind him to the obvious imprudence of forcing on a war for which they were unprepared. Though he joined Pompey and his partisans in Epirus, it is clear that he did not engage with any heartiness in the cause, of which, according to Cicero, he foresaw the failure from the beginning; and after the battle of Pharsalia he abandoned all thoughts of prolonging the contest, and withdrew to Mytilene, where he gave himself up to the pursuits of rhetoric and philosophy. Here Cæsar was content to leave him unmolested in a kind of honorable exile; and Marcellus himself was unwilling to sue to the conqueror for forgiveness, though Cicero wrote to him repeatedly from Rome, urging him in the strongest manner to do so, and assuring him of the clemency of Cæsar. But though Marcellus himself would take no steps to procure his recall, his friends at Rome were not backward in their exertions for that purpose; and at length, in a full assembly of the senate, C. Marcellus, the cousin of the exile, threw himself at Cæsar's feet to implore the pardon of his kinsman, and his example was followed by the whole body of the assembly. Cæsar yielded to this demonstration of opinion, and Marcellus was declared to be forgiven, and restored to all his former honors. Cicero wrote to announce to him this favorable result, in a letter now lost; but the answer of Marcellus is preserved, and is marked by a singular coldness, which would lead us to the conclusion that his indifference in this matter was real and not assumed. He, however, set out on his return; but having touched at the Peiræeus, where he had an interview with his former colleague, Sulpicius, then proconsul in Greece, he was assassinated immediately afterwards by one of his own attendants, P. Magius Chilo. There seems no doubt that the deed was prompted by private resentment, though suspected at the time to have been committed at the instigation of Cæsar. Sulpicius paid him all due funeral honors, and caused him to be buried in the Academy, where a monument was erected to him by the Athenians, at the public expense.—Dict. Gr. and Rom. Biog. and Myth.

The oration for Marcellus was spoken in the senate, A. U. C. 708; and was the first which Cicero delivered after the downfall of the republic. As subsequently written out and published, it was always admired as a finished discourse. "Cicero," says Middleton, "touched by the generosity of Cæsar, and greatly pleased with the act itself, on the account of his friend, returned thanks to him in a speech, which, though made upon the spot, yet for elegance of diction, vivacity of sentiment, and politeness of compliment, is superior to any thing extant of the kind in all antiquity." It has been regarded as the model of Pliny's Panegyric of Trajan; and passages from it are quoted and explained by Nonius Marcellus, Lactantius, and Priscian, as well as in the fragments of Commentaries on Cicero's Orations, which have come down to us under the name of Asconius Pedianus.

Notwithstanding this, it is maintained by F. A. Wolf, that Cicero delivered no oration for Marcellus, still less that he wrote one out; and, consequently, that the present oration is a declamatory exercise of a later period, perhaps of the age of Tiberius, shortly before Asconius. This view was assailed by Worm, Kalau, and Weiske, but defended by Spalding, until at a later date Jacob re-examined the whole question, and came to the conclusion that, in accordance with the testimony of the ancients, Cicero delivered and wrote out a speech for Marcellus, and that this speech can be, in a great measure, recognised in the oration which has come down to us, but that it has received later additions and interpolations. This view was received with much favor by Passow and Hand. Independently of Jacob, Hug also, and after him Savels, who gave prominence to the testimony of Cicero himself, endeavored to set aside the doubts respecting the genuineness of the present oration, which Schütz, and after him Orelli, who also directed attention to earlier doubts of a Spaniard, John Andres, again condemned as spurious, though such a sentence, even allowing single interpolations, as also numerous variations of MSS. from each other, on the whole, can hardly be justified or rest on a sure and satisfactory basis, in opposition to the external evidence of the authorities already noticed, or to the finished style and composition of this oration. Some old scholia on this oration, which, although not written by Asconius in their present form, are yet not later than the 4th century, have been discovered by Angelo Mai. Among later assertors and defenders of the authenticity of the oration for Marcellus, may be mentioned Steinmetz, Drumann, R. Klotz, and Süpfle.

For the authorities upon this question, we refer to Dunlop's Roman Literature, vol. 2; and Bähr's Geschichte d. Röm. Literatur. 3e Ausg. 2r Band. p. 284, fgg.

ANALYSIS.

1. In the introduction Cicero declares his purpose of again appearing as an orator in public; and justifies his determination, partly by the uncommon and extraordinary goodness of Cæsar, partly by his joy upon the pardon of Marcellus, (§ 1-4.)
2. The orator magnifies the clemency of Cæsar, by comparing it with his great achievements and victories, which latter must doubtless give place to the former; for—

(a) The victor must share the glory of his victory with fortune and with his army, but not so the glory of his humanity and clemency, (§ 4–7.)

(b) Victory over powerful nations is achieved by bravery and prudence, while acts of gentleness and compassion raise a hero to a level with deity, (§ 8.)

(c) Military exploits excite emotions of dread, but the qualities of a good heart gladden all hearts, even in mere fiction, or when they are found before our time, and do not, as the deeds of Cæsar, fall under our own observation, (§ 9–11.) Nay more, this clemency and goodness of heart in a victor excites the highest conceivable joy and gratitude, and by it even the dead are honored in their surviving relatives, (§ 11.)

(d) Time destroys and annihilates the works of our hands and of our power, but deeds of righteousness and mercy continue to shine more and more brightly, (§ 11, 12.)

(e) Cæsar has vanquished victory, by showing the highest gentleness and favor to the vanquished, which could not have been expected from the partisans of Pompey, (§ 12–18.) Conclusion of the first part of the oration. (§ 19, 20.)

3. The orator answers the twofold opinion of Cæsar, that snares are laid for his life, and that he has lived long enough for nature and for fame. To this Cicero replies,

(1) That— (a) Such a suspicion is incredible, for none of his friends will betray him, and his enemies by his kindness have been made his truest and surest friends and followers, (§ 21.) (b) He wishes and hopes, however, that Cæsar will not drop this solicitude, but retain it for the good of the state, which is so closely connected with his safety. (§ 22–24.)

(2) Cæsar may have lived long enough for nature, but not for his country. This point is touched with much frankness and discretion, and was by some of the earlier commentators regarded as the finest and most striking part of the oration, (§ 26–32.) Then follows an entreaty to Cæsar to take care to preserve his life, and a promise, in his own and the senate's name, of the most faithful protection.

4. In conclusion, he gives repeated thanks for the preservation and pardon of Marcellus, (§ 32.)

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Ch. I.—1. **Diuturni silentii,** governed by *finem . . . attulit.* So *de Off.* 2, 22, 76. Krebs, *Guide*, 351, incorrectly says *finem facere* takes the genitive only, not the dative. It has its object sometimes in the dative as well as in the genitive. *Pro Cluent.* 67, 191. Cf. 4, 11, *Monumentis tuis allatura finem sit ætas.*—*His temporibus.* See note on page 15, line 31. The reference is to the period of the civil wars, and the calamities which they had brought upon the state. Cicero, after Cæsar's victory, displeased with the new order of things, had avoided all participation in public affairs; but now the pardon of Marcellus had made so favorable an impression on him, that he hoped to see a return, at least in part, to the former republican relations and administration, which he takes this occasion, particularly in ch. 8, § 23, to urge upon Cæsar.—*Eram . . . . usus,* in lively discourse for the perfect, as though this silence had been long past. Wolf condemns it as almost a solecism. Ellendt. *ad Brut.* 2, 7, (ed. i,) compares several similar passages, where the pluperfect is connected with the present.

2. Non timore aliquo, sc. deterritus. For Cæsar's magnanimity left no room to fear that he would act the tyrant.—*Dolore,* at the thought of Marcellus's exile.

3. Verecundia. From a sense of propriety. *Le sentiment des convenances.* Lemaire. Cf. *ad Fam.* 4, 13: *In ipsius* (Cæsaris) *consuetudinem, quam adhuc meus pudor mihi clausit, insinuabo. Dolor* and *verecundia* are more fully explained in the sentence below, commencing *Dolebam enim,* &c. Cicero, *ad Fam.* 4, 4, 4, speaks of this day and his speech as follows: *Statueram, non mehercule inertia, sed desiderio pristinæ dignitatis, in perpetuum tacere. Fregit hoc meum consilium et Cæsaris magnitudo animi et senatus officium. Itaque pluribus verbis egi Cæsari gratias,* &c.—*Idemque,* sc. dies, *initium,* sc. attulit, ... *dicendi.* Observe the *chiastic* arrangement of this period.

5. Tantam enim mansuetudinem, &c. It would be highly unbecoming, especially in me, who regard my own former influence and authority as secured by the restoration of Marcellus, to pass over without notice such exalted traits of character.

7. Modum = moderationem animi in omnibus rebus. So *p. Sest.* § 79.—*Denique.* Z. 727.—*Sapientiam.* This almost divine wisdom of Cæsar is exhibited in his control of anger, suppression of revenge, and magnanimous forgiveness of injuries.

8. Tacitus præterire .... possum. Z. 682

10. Vocem et auctoritatem. Loquendi (et scribendi) libertatem et auctoritatem, qua senator et consularis utebar.

13. In eadem causa = in partibus Pompeii. The text of this oration is given from the edition of Klotz, M. T. Cicero's sämmtliche Reden, Leipzig, 1835. In this passage the reading, which differs somewhat from the common text, is that of the excellent Erfurt and other MSS. The change of tense in *esset* and *fuissem* is because, at the time of which the orator speaks, Marcellus was not, like Cicero, reconciled to Cæsar, but still belonged to the opposite party. So also Schultz and Süpfle: Steinmetz reads: *qui in eadem causa, in qua ego, fuisset,* &c.—*In qua.* The omission of the preposition before the relative, when it stands before the same case of the demonstrative, is usual principally in those relative clauses, in which the verb of the demonstrative clause is to be supplied. Z. 778.

16. Vetere is the more common form of the ablative of *vetus.* Al. *veteri.*—*Illo æmulo atque imitatore.* Marcellus was distinguished as an orator. *Brut.* 71, 248–251. *Imitator* is not one who simply copies after another, but one who is devoted to the same pursuits. Cf. *ad Fam.* 15, 9, 1.

20. Signum aliquod sustulisti. Ductum est e re militari et a signo, quod in castris in prætorio attollitur atque proponitur.

21. In multis, senatoribus.

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67 **22. Sed paulo ante omnibus.** Supply *intellectum est.* See Z. 419, *Note.* In this construction the passive expresses an intransitive or reflexive activity, and the dative denotes the originator of this activity at the same time as the person who participates in it, or for whom it takes place, while *ab* with the ablative simply expresses the originator.

23. Commemoratis .... offensionibus. Cf. *ad Fam.* 4, 4, 3, from which letter we learn that Cæsar, before he pardoned Marcellus and restored him to his former dignity, complained in the senate of his bitter enmity. Marcellus had, when consul, proposed the immediate abrogation of Cæsar's authority as proconsul in Gaul, and had caused a citizen of Comum to be scourged, in order to show his contempt for the privileges lately bestowed by Cæsar upon that colony. Steinmetz: *senatui populoque Romano concessisti.*

24. Dignitatem. For distinguished men like Marcellus give dignity to the state by their high character.

25. Suspicionibus. That Marcellus might in future still be his enemy.

26. Ille quidem. A fine transition to praise of Marcellus, whose character and life are approved both by friends and foes. Orelli and Schultz: *ante actæ ætatis.*

28. Ex quo. Refer these words forward to the clause *quum in accepto sit tanta gloria,* as containing the reason.

29. Laus .... gloria. The orator rises from *laus* to *gloria.* Cf. *pro Balb.* 5: *laus* refers to Cæsar, *gloria* to Marcellus. If it was glorious for Marcellus to receive this favor from the senate, who interceded in his behalf, and from you who restored him, how much more glorious is it for you to have conferred it.

30. Est vero fortunatus ille. His strength of mind and virtues sustained him, and made him happy, even in exile. Cf. *Brut.* 71, 150. Senec. *Cons. ad Helvid.* 9, med.—*Cujus* = quum ejus. Z. 564. Marcellus did not really feel so great joy at his recall, as his friends, to whose wishes he yielded. *Ad Fam.* 4, 7, 8; 9, 10, 11.

68 **1. Ad illum.** So Orelli, Schultz, and Süpfle. Others *ad ipsum.*

2. Quod, sc. ex ejus salute lætitiam ad omnes pervenisse. Orelli, Schultz, and Steinmetz: *quod ei quidem.*

Ch. II.—**6. Nullius,** sc. hominis. Why not neminis? *P. C.* p. 326*; Z. 676. On the two genitives in different relations, see Z. 423, *Note.* On the order, Z. 791.—*Flumen ingenii.* So rich a flow of language, such a stream of eloquence. Cf. *p. lege Man.*, § 36, and *Acadd.* 2, 38, 119: *flumen orationis aureum fundens Aristoteles.* Schultz with Orelli reads: *Nullius tantum est flumen ingenii, nulla dicendi ... tanta vis.* But many MSS. give *nulli,* which may be supposed to have arisen from the omission of the mark of abbre-

viation in *nulli'* for *nullius*. The authority of MSS. is therefore in favor of *nullius*.

7. Non dicam .... sed. Z. 724.

9. Pace dicam tua. *P. C.* 428. So *p. Mil.* 38, 103. The expression is a formula of courtesy, used to avoid giving offence when we deviate from another's opinion, with implied censure.

10. Eam. Z. 603 (*b*).—*Hodierno die.* By the pardon of Marcellus.

11. Ante oculos ponere, sc. mihi. This applies to Cicero, the next clause to others, i. e. ut et alii ex ipsius crebris sermonibus idem sibi ante oculos ponere consuescant.—*Idque,* sc. quod mihi sæpe ante oculos posui, or for atque id, preparatory to the following clause.

12. Usurpare. Compare *p. Mil.* 7, 18, *eadem nunc crebro usurpatur.*—*Omnes,* &c. See Plut. *Cæs.* 15.

14. Contentionum. Cæsar had contended with the most warlike nations, the Gauls, Germans, Belgians, Helvetians, Britons, with the Romans, and indeed with their entire power. In Gallia all had united against him, and in the memorable siege of Alesia, with an army of only 60,000 men, he had before him in the fortress 80,000 infantry and 10,000 cavalry under Vercingetorix, while 300,000 had surrounded him. *Bell. Gall.* 7, 68, ff. Plut. *Cæs.* 27. Schmitz, *Rome*, chaps. 33, 34, 35.

15. Numero prœliorum. Plin. H. N. 7, 25. *Cæsar signis collatis quinquagies dimicavit: solus M. Marcellum transgressus, qui undequadragies dimicaverat.* Plutarch (*Cæs.* 15) says he had stormed more than 800 cities, subdued 300 nations, and from time to time fought with 3,000,000.

16. Celeritate, in reference to his victory in Pontus. Flor. 4, 2, 63; *ante victus hostis, quam visus.* It was concerning this victory over Pharnăces, that Cæsar sent to Rome the celebrated laconic report, *Veni, vidi, vici;* which was also inscribed on a tablet at his triumph. Suet. *Cæs.* 35 and 37.—*Dissimilitudine bellorum.* Nam alia bella civilia, alia externa sunt: alia mari et classe, alia terra geruntur. Quædam inferuntur, quædam depelluntur.

18. Non dicam, nam id mirum non esset. See note on line 7.—*Cursibus.* Rapid marches, forced marches.

19. Lustratæ, i. e. obitæ, peragratæ. *Lustrare* autem plus est, quam peragrare, nam qui peragrat, pertransit: qui lustrat, ambit, quo plus temporis requiritur. Compare with this passage, *p. L. Man.* 10, *Qui sæpius,* &c.—*Quæ quidem ego,* &c. This is said in conclusion of what has gone before, *Nullius flumen,* &c., and is more forcible than if the third person had been used, quæ nisi quis ... fateatur.

20. Mens, the faculty itself, and *cogitatio,* the exercise of the faculty of thinking.

21. Amens sim. An extravagant and almost servilely flattering

Page 68 passage, which is only to be excused by the consideration, that Cicero might have felt it necessary to put himself above all suspicion in Cæsar's eyes. Similar passages exist in the orations for Ligarius, and for Deiotarus, especially § 36. The oration for Marcellus was the first delivered after his pardon.—*Sed tamen*, &c. A general mode of expression, with reference to § 4 extr. *nullam in his laudem*, &c. In § 7, the orator expresses himself more fully on this point.

22. Nam .... quidam. He speaks with caution, and does not say *alii* or *plerique* in opposition to himself, but only *quidam*, (pauci,) to show that they might have been mistaken in their judgment. Compare Nepos, *Thrasyb.* 1, 4. *Sed illa*, &c.

24. Propriæ .... imperatorum. Krebs, *Guide*, 167; Z. 411.

27. Fortuna sibi vindicat. So Nepos, *Thrasyb.* l. l. *plurima vero fortuna vindicat.* Compare Cæs. *B. G.* 5, 30: *Multum quum in omnibus rebus, tum in re militari potest fortuna.*

28. Hujus gloriæ, from pardoning Marcellus. *Laus* soon follows as a synonym of *gloria*. The former is properly the praise and esteem, which the meritorious and noble man enjoys; the latter, renown, fruit of esteem. *Laus* denotes more the individual and momentary; *gloria* enhances the idea, and denotes the general and lasting. *Gloria .... est consentiens laus bonorum, incorrupta vox bene judicantium de excellente virtute.* *Tusc.* 3, 2.

30. Quantumcunque est. This expression often restricts and limits; *quod certe maximum* is therefore added to prevent ambiguity.

32. Præfectus, sc. alarum, qui equestribus turmis præest, in opposition to *centurio*, a commander of a company of infantry. So, in the next line, *cohors*, of the infantry; *turma*, of the cavalry. This passage is an instance of rhetorical amplification.

34. Se non offert. Orelli, Schultz, and Steinmetz place *se* before *societatem*.—*Cedit.* So Schultz and Steinmetz. Orelli, *concedit*.—*Tuam se esse.* Orelli, Schultz, and Steinmetz, with Ernesti, omit *se*, understanding *gloriam*. *Tuam* = tui arbitrii, *or* in tua potestate positam.

CH. III.—**37. Barbaras.** The Gauls, Germans, Britons.

38. Innumerabiles. The Gauls, and especially the Alexandrians.—*Locis infinitas.* Britain, Africa, Spain, and Pontus.

39. Et before *naturam* is omitted by Orelli, Schultz, and Steinmetz.

40. Vinci. Schultz reads *vinci vi possent.* Orelli suggests *vinci ut possent.*

42. Animum vincere, quia animus invictus habetur. *De Fin.* 3, 22, *recte invictus* (habebitur animus), *cujus etiam si corpus constringatur, animo tamen vincula injici nulla possint.* Compare Horace, *Ep.* 1, 2: *Animum rege, qui nisi paret, imperat.*—*Victoriam temperare.* Z. 414. What is the proper construction of *tem-*

pero in the sense in which it is here used? The accusative here is surprising. 68

44. Amplificare ejus pristinam dignitatem. Compare *ad Fam.* 6, 6, 10. From this it has been inferred that Cæsar in some way distinguished Marcellus, as a consular man. But he died before his return. See *ad Att.* 13, 10, 3. But the delicate way in which Marcellus's pardon was granted, so that it seemed to come from the senate, may be all that is intended.

1. Qui facit. Klotz and Süpfle, from the *Erf. Oxf.* and other MSS., give *facit* for the common text *faciat*, which Steinmetz and Schultz retain. 69

2. Simillimum deo. Wolf was displeased with this expression as too strong. Klotz defends it by reference to the common opinion of the ancients respecting their gods. In popular belief and tradition the distance between a mortal and immortal being was not so great, but that an apotheosis was easily adopted. The language of the enlightened also generally conformed to the belief of the mass. The senate had erected a statue to Cæsar in the capitol, with the inscription, *Semideus est.* See *p. Deiot.* § 33. Lactantius, 1, 9, cites this passage, reading *non modo ego eum.* Priscian also quotes it.

3. Illæ quidem. Cf. § 11, and Z. 744. Where *quidem* has a concessive force = "it is true," "certainly," and introduces a word preparatory to *sed*, the pronoun, otherwise omitted, is usually inserted. See Z. 278 and 801.—*Non solis nostris.* Z. 687. Steinmetz and Schultz: *non solum.* Gernhard, *ad Cat. M.* 23, 83, incorrectly denies that the adj. *non solus* can stand for the adv. *non solum*, when *sed* or *sed etiam* follows. See Klotz, *Læl.* p. 137, fg.

5. Nec ulla unquam. Krebs' *Guide*, 527. Z. 738.—*Sed tamen ejusmodi res .... obstrepi .... videntur.* The construction here should be noticed as a departure from the regular form. *Obstrepere* being neuter should retain its dative in the passive voice, and be construed impersonally, as *Liv.* 3, 49: *Decemviro obstrepitur.* So too the infinitive of the passive is impersonal, and requires the quasi auxiliaries *soleo, possum, videor*, &c., to be impersonal, although *videor* in Latin, contrary to the English idiom, is almost exclusively personal in construction. See *P. C.* 285 and 297; Z. 412; and Krebs' *Guide*, 171 and 413. The language is highly figurative, and concinnity of expression is obtained by this construction. Jacob compares, *de Opt. gen.* 4, 11: *nam si arriderentur.* Compare for a similar conception, Horat. *Od.* 2, 1, 17.—*Nescio quomodo.* Z. 553.

10. Quæ natura insolens. Cf. *ad Fam.* 4, 4, 2: *Victoriæ, quæ civilibus bellis semper est insolens;* and 4, 9, 3: *Victoria, quæ etiam si ad meliores venit, tamen eos ipsos ferociores impotentioresque reddit.*

12. Sed etiam in fictis. Compare *Læl.* 7 24. Eleganter *ges-*

Page 69 *tis* pro *viris*, ut antitheta essent similiora, *gerere* quidem *res* et fingere accurate opponuntur.—*Quos nunquam vidimus, diligamus.* Cf. *Læl.* 8, 28.

13. Te vero, &c. The orator here passes in a lively and animated manner, to that which is before his eyes, and by which therefore his feelings are more deeply and strongly moved.

14. Sensusque et os cernimus. So also Orelli, Schultz, and Steinmetz. Whose emotions, as depicted on the countenance, we behold, expressive of the desire to preserve what of the state has escaped the fortune of war. For *et os*, which Ernesti, Wolf, and Spalding defend, some adopt the conjecture of Faernus, and read *sensusque eos*, which Jacob also advocates. *Eos*, i. e. tales, smoothes the connection with the following *ut*.

17. Parietes .... gestiunt. The language becomes more and more bold, as the orator rises to the completion of his climax. Cf. *Cluent.* 6, 15.—*Medius fidius.* Z. 361, *Note.*

18. Ut mihi videtur. So Orelli, Schultz, and Steinmetz. We should expect *ut mihi videntur*, as from *Cod. Col.* some editions read. See references in note on line 5 above, especially Krebs, *Guide*, 413.

19. Illa auctoritas. The abstract for the concrete = vir ille maximæ auctoritatis. Others understand it of the former authority and dignity of the senate. Jacob explains it as illi senatores adhuc exulantes, regarding the pardon of Marcellus as an earnest of the pardon of others.

Ch. IV.—**21. Equidem quum .... viderem.** A transition from M. Marcellus to his kinsmen and family, whom the tears of C. Marcellus bring to Cicero's mind.—*Incomparabili pietate.* On the affection of C. Marcellus for his cousin Marcus, see *ad Fam.* 4, 7, and 9. C. Marcellus was consul A. U. C. 704. He was at first a zealous and uncompromising advocate of the party hostile to Cæsar. He, however, remained in Italy, and obtained the forgiveness of the conqueror. He was the husband of Cæsar's niece Octavia, and at a later period, as such, enjoyed a place of high consideration. He is often confounded with a brother of M. Marcellus, whose name was the same, and who was consul A. U. C. 705. He appears to have perished in the civil wars. For *incomparabili* Orelli, Schultz, and Steinmetz give *commemorabili*, which variation Klotz omits to notice.

22. Viderem, of time, to denote what is casual or accidental, therefore not *videbam*. *P. C.* 489 ; Z. 578, 579, *Note.*

23. Obfudit. *Obfundere* denotes to overspread as with a flood ; to throw as it were a cloud over any thing ; and conveys the idea of something grave and sorrowful. The word here seems suggested by the preceding, *lacrimas*. Sicut C. Marcelli vultus lacrimis, ita pectus Ciceronis dolore suffusum est.

24. Etiam mortuis = licet sint mortui. Z. 635.—*M. Marcello conservato.* By the restoration of Marcellus. Z. 637.

25. Ad paucos redactam. Cf. *ad Fam.* 4, 11, extr.

27. Gratulationibus. Days of rejoicing, festival days.—*Anteponis.* So Klotz and Süpfle, from *Erf.* and 3 *Oxf.* MSS., for the common *antepones.* The present suits the confidence of the presumption. In the following passage, down to *afferet laudibus,* Klotz defends from MSS. his variations from the common text, which differs in several particulars. The chief difference is in *ut nulla tropæis,* where the usual reading is *ut tropæis,* omitting *nulla.* But Osiander thinks the new reading harmonizes as little with the following, as the old did with the preceding sentence. He therefore prefers, with Halm (Zeitschrift für Alterthumswissenschaft, 1838, p. 167,) the conjecture *ut si ulla,* and below, *florescat,* instead of either *florescet* or *florescit.* Fr. Schneider (Jahrbücher f. Philol. u. Paedag. 52r. Band, 1848, p. 285) rejects *nulla,* which Klotz received from *Erf.* and 8 *Oxf.* MSS., and takes *nihil* to *vetustas* as a parenthesis. He gives the connection in the thought as follows: "This act of thy magnanimity is so great, that time brings an end to thy trophies: but thy justice and clemency daily increase in fame;" and remarks, that it is not surprising in Cicero, that a new sentence independent of *ut* should commence with *at.*

30. Et dux et comes. Compare *p. Balb.* 4, 9: *quum etiam ipsi casus eventusque rerum non duces, sed comites ejus* (Pompeii) *consiliorum fuerint.*

33. Conficiat et consumat. The former may refer to the commencement, the latter to the end of the destruction.

34. Quotidie. The distinction between *quotidie* and *in dies,* which would lead us here, because of the comparative *magis,* to expect the latter, is not always observed. *P. C.* 69, t.

35. Quantum .... tantum. Z. 704.

38. Vereor ut, &c. Cicero here purposely speaks not quite plainly. He did not wish to give full utterance to his thoughts respecting the sentiments of the partisans of Pompey, as he had himself been an opponent of Cæsar, and therefore passes rapidly on. Compare *ad Fam.* 4, 9, 2; *Att.* 7, 3, 4. In the next line Orelli gives *ego ipse.*

40. Victoriam vicisse videris, quum .... remisisti. See *P. C.* 488, (*c*). *Quum* is used with two indicative verbs in the same tense, to express identity of action as well as identity of time (when the best translation is by the preposition *in*:) as, *Præclare facis quum puerum diligis,* you act a most noble part in thus loving the child.

41. Ipsius victoriæ. Victory in itself considered, without regard to the victors who had gained it.

42. Omnes. Orelli and Steinmetz read *jure omnes;* Schultz, [*jure*] *omnes.*

Page 69 **44. Devicta est.** The strengthened *devicta* is well chosen with reference to *victi* and *invictus*.

70 CH. V.—**1. Atque hoc .... judicium .... quam late pateat attendite.** This turn of thought could be only agreeable to the senate, and not offensive to Cæsar, who sought to lay others under obligations to himself. The favor shown to Marcellus seemed to give assurance to other Pompeians, that they might expect like clemency. On the anticipation, by which the subject of the dependent clause is made the object of the leading clause, see note on p. 56, line 15. With what verbs is this the case in Cicero?

3. Fato .... nescio quo. Here again, as § 12, from unwillingness to contemplate the origin of the civil war, Cicero hurries on, merely in passing calling it an unhappy and mournful destiny that forced the followers of Pompey to arms. On *nescio quo*, see Z. 553.

4. Erroris humani. By euphemism, to soften the expression. So in *Lig.*, and in his letters, where Cicero touches upon this subject. —*A scelere .... liberati sumus.* Cicero regularly joins the simple ablative with *liberare* where the notion is not personal. Z. 468.

6. Item. Some read *iterum;* his first restoration being when he was recalled from exile.

7. Nullo deprecante. Z. 676 and 638.

8. Sibi ipsos. Orelli, Schultz, and Steinmetz read *sibi ipsis.* In the next line after *videtis*, Steinmetz places a colon, and quotes the *schol. Ambros.* in support of it: *Quum eos, inquit, C. Cæsar, qui contra se pro Pompeio arma ceperant, in senatum introduxit, hostes non fuisse judicavit.*

12. Quo quidem in bello. Z. 743.

14. Orationem civium pacem flagitantium. Under this more comprehensive form Cicero doubtless includes himself especially, but he did not wish distinctly to say meam pacem flagitantis. So he begins the next sentence with, *Neque enim ego*, &c. Compare *ad Fam.* 9, 6, 3; 16, 12.

15. Illa, Pompeii, whom he avoids mentioning by name, as often in the Ligarius. So below, *hominem* for *eum*, or in a merely general way, without regard to his relation to the state, therefore not *virum*, referring to the implied genitive in *illa .... arma.*

16. Mea consilia pacis. See *ad Att.* 7, 14, and 7, 5.

18. Privato consilio. From considerations of personal obligation, not to serve the interests of the state. See *ad Fam.* 6, 6, 6; *ad Att.* 8, 3, 2. *Consilio* I judge to be a misprint in the edition of Klotz, as I find *officio* in all others, except Süpfle's, who copies from Klotz. Klotz himself notices no variation from Orelli, who also, without variation, gives *officio.*

20. Prudens et sciens. *Prudens* denotes one who has ready practical views and circumspection; *sciens*, one who possesses the re-

quisite information. See Donat. *ad Terent.*, *Eun.* 4, 1: Prudens est, qui intelligentia sua aliquid sentit; sciens, qui alicujus judicio rem cognoscit.

21. Quod quidem meum consilium. And this purpose of mine, sc. to advise peace.

22. In hoc ordine. In the senate.

23. Integra re. Before the outbreak of the war.

24. Cum capitis mei periculo. For the Pompeians threatened all who counselled peace. Plutarch, *Cic.* 39, gives an account of another danger which Cicero incurred, from declining the command after the battle of Pharsalia. Pompey the son, and others, with drawn swords, assailed him, calling him traitor, and would have taken his life, had not Cato interfered and saved him.—*Ex quo* indicate transition, and = igitur, ergo. Orelli, Schultz, and Steinmetz: *jam nemo*, and below, *rerum existimator* .... *Cæsaris voluntas de bello* .... *mirum fortasse.*

27. Statim, after the battle of Pharsalia, while he was in Egypt. See *Lig.* § 7. Wolf. But Jacob interprets: *statim* ut deprecabantur, immediately upon their application, without hesitation. On the omission of the adversative conjunction between the two clauses, see Z. 781.

CH. VI.—**31. Hujus quidem rei,** Marcellum a bello abhorruisse. Cicero, having attributed Cæsar's prompt pardon of himself to his advocacy of peace, now advances a like claim on the part of Marcellus, to whose desire for peace he himself bears witness, on the ground of his intimacy with Marcellus, and his knowledge of his views.

34. Certorum hominum. Cato, Lentulus, Scipio, &c. Vell. 2, 49. Plut. *Cæs.* 31. Certos autem homines vocamus, quos nominare aut otiosum, ut hic, aut superfluum.

35. Victoriæ ferocitatem. Crudelitatem victorum, ut exsilia, cædes, proscriptiones.

37. Non enim jam causæ, &c. Compare *p. Lig.* 6, 19.

38. Vidimus, &c. Weiske notices the beauty of this §, both in respect to the figurative expressions and the construction. The first clause is *chiastic.* See also Z. 781.

39. Gladium vagina vacuum, &c. Victory had given to Cæsar power to avenge himself, but, far from imitating Marius and Sulla, he wished to be formidable to his adversaries only on the field of battle. None of his enemies, with the exception of Afranius, Faustus Sulla, and the younger L. Cæsar, perished but in battle. Suet. *Cæs.* 75. But in the camp of Pompey there was only the breath of hatred and revenge. Several days before the battle a list of proscribed had been drawn up, in which were included even those who had remained in Italy, or who had shown indifference to the cause. Pompey him-

Page 70 self meditated vengeance. Cicero says of him, *ad Att.* 9, 10, *Sullaturit animus ejus, et proscripturit diu.*

42. Excitaret, in reference to *perculit* = excitaturus esset.

43. Alterius vero partis, sc. Pompeianæ. Construe *Nihil vero amplius dicam, quam nimis irac. fut. fuisse victoriam alterius p., id quod,* &c. For the sake of emphasis and contrast, *Alt. p.* are placed first.

71 **2. Armatis,** here refers of course to the followers of Cæsar, and = adversariis.—*Otiosis,* the neutral.

5. Expetiverunt. The indicative is the language of confidence and certainty.

7. Vel satiati aliquando. As it were a correction of *vel placati jam.*

9. Bono, sc. clementiæ et sapientiæ.

10. Natura = indoles animi, ingenium. Bene naturam moribus conjungit, quia virtutes non solum insita vi naturæ, sed etiam moribus et exercitio comparantur.

13. Felicitati tuæ gratulabere. This Cæsar himself admits. *B. G.* 3, 15; *B. C.* 3, 14; and Hirt. *in B. Alex.* 75. *Congratulabere* is found in some editions, but Cicero appears not to have used the compound form of this verb. See Garaton. *ad Planc.* 27, 66.

17. Vel sola. In accordance with the principles of the Stoics; *p. Deiot.* § 37.

19. A virtute .... a fortuna. *Virtus* and *fortuna* are personified. Z. 451, in fin.

20. Commodata. Loaned. Ut eadem, quæ dedit, auferre tanquam sua possit, nam *commodata* redduntur, *donata* retinentur.—*Noli .... defatigari.* Z. 585 and 586. Compare *p. Lig.* § 37.

22. Aliqua. Orelli and Schultz place *aliqua* after *pravitate.*

23. Specie quadam rei publicæ. Under color of the common good, or public weal.

24. Timuerunt. As hostile to the welfare of the state.

25. Senserunt. By their own preservation after your victory. Orelli, Schultz, and Steinmetz after *quod* give *plerique,* which *Erf.* and other MSS. omit.

CH. VII.—**27. Nunc venio.** Orelli, *nunc vero v.;* Schultz, *nunc* [*vero*]. With this chapter commences the second part of this oration. The first part treated of the pardon of Marcellus; and the second and leading part, containing the orator's opinion and judgment upon a matter brought forward in the senate, treats of the snares to which Cæsar already believed himself exposed, of which indeed Cicero makes no mention elsewhere, not even *ad Fam.* 4, 4, although in that letter the restoration and pardon of Marcellus are communicated to Sulpicius.—*Atrocissimam suspicionem.* *Atrox* from *ater,* as *ferox* from *ferus, velox* from *velum,* with the final syllable *ox* (*oculus*) related to ὤψ,

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properly expresses what is of a dark, lowering, sinister aspect or look. 71 As a legal expression in connection with *vis*, it means direct personal violence. So *atrocitas, atrox res, atrox injuria*, indicate a grave wrong or crime, &c., which evinces the hostile *animus* of the wrong-doer, and marks the criminality of the act, as one to be more severely punished. In this sense Cæsar's suspicion that his life was aimed at is called *atrocissima*. The *atrocitas* is estimated from the circumstances; e. g. Quinctil. 6, 1, 15–18: atrocitas crescit ex his, quid factum sit, a quo, in quem, quo animo, quo tempore, quo loco, quo modo; quæ omnia infinitos tractus habent.

30. Falsam esse. Orelli and Schultz, *esse falsam, nunquam tamen verbis extenuabo*. So also Steinmetz, except *ext. verbis*.

31. Tua enim cautio nostra cautio est. *Cautio* is repeated for the sake of emphasis and antithesis.

32. In alterutro. Vel nimium cavendo, vel parum.

34. Tam demens, sc. qui tibi insidiaretur, the omission of which clause evinces the orator's strong feeling of its impossibility.

35. Ex hoc numero, qui. This is common, where we should expect, ex horum numero, qui. See *p. Arch.* § 31. Z. 366, in fin. Orelli, Schultz, and Steinmetz, *ex eo num.*

41. De inimicis. Z. 430, in fin.

42. Superfuerunt. Steinmetz, *fuerunt*.

4. Ex unius tua. Z. 424, in fin. Orelli, *suam? et ex unius tua*, 72 *vitam pendere omnium;* Schultz, *suam, et ex unius tui vitam*, &c.

5. Dumtaxat. Z. 274.

8. Consistere. Z. 452, in fin.

10. Sceleris .... insidiarumque consensio = scelestarum insidiarum consensio. What is this figure called? Z. 741. It serves to give distinctness to the two notions, which if connected as adjective and substantive would present but one conception. The first substantive for the most part stands to the second in the relation of the genus to the species.

Ch. VIII.—**13. Prostrata atque perculsa.** Dashed to the ground, and shattered. Or., Sch., and St., *perculsa atque prostrata*.

14. Constituenda judicia. Nempe inter arma siluerant leges. See Suet. *Cæs.* 41.—***Fides.*** Credit.

15. Propaganda suboles. The civil wars had greatly reduced the population; Appian, *B. C.* 2, 102, says, to one-half the number before the wars. Encouragements to marriage were therefore held out, and privileges conferred upon the parents of several children. Cf. Suet. *Cæs.* 42, and *Oct.* 34.

16. Delapsa .... defluxerunt. The figure is derived from running water, which is restrained by a dam, whence *vincienda* suits it well. *Jus* and *lex* are metaphorically called *vincula*. Orelli and Schultz, *dilapsa jam fluxerunt;* Steinmetz, *dil. jam diffluxerunt*.

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17. Non fuit recusandum .... quin = fieri enim aliter non potuit, ... *quin*. Orelli, Schultz, and Steinmetz, *tantoque*.

18. Quassata. As the ship of state is a common figure, so *quassata* is figuratively applied as if speaking of a wreck.

19. Ornamenta dignitatis, in reference to external splendor; *præsidia stabilitatis,* in reference to the security and permanence of the state, especially in time of war; and both expressions refer to the moneys drawn from the treasury, and resources for the purpose of carrying on war.

20. Uterque dux. Krebs, *Guide,* 145 (1); Z. 430.

21. Quæ .... fieri prohibuisset. Z. 543 and 544.

22. Sananda. Orelli, *curanda;* Orelli and Schultz, *nunc tibi;* and Orelli, Schultz, and Steinmetz, *mederi nemo.*

24. Præclarissimam et sapientissimam vocem. This remark is so called by the orator, as evincing a noble resignation, and a contempt of death, becoming a philosopher. Cf. Suet. *Cæs.* 45 and 86.

25. Satis diu, &c. Orelli and Schultz in the form of the *oratio obliqua: satis te diu vel naturæ vixisse, vel gloriæ.*

26. Fortasse. Cæsar was now over 54 years old, therefore the language is qualified. Or., Sch., and St., *naturæ fortasse.*

28. Doctorum hominum, especially the Stoics. Orelli, Schultz, and Steinmetz, *omitte, quæso, istam.*

29. Esse sapiens = philosophari, but with distinct allusion to the stoical wise man, as an ideal character. Orelli, Schultz, and Steinmetz, *sapiens esse.*

30. Tibi te satis. Orelli, Schultz, and Steinmetz, *satis te tibi;* and below, *quæ cog., nondum jeceris.*

32. Tibi .... soli natus esses. Compare *de Off.* 1, 7, 22.

33. Res tuæ gestæ. See note on p. 36, line 31.

34. Tantum abes a perfectione .... ut. *Tantum abesse* is construed personally, only when it is followed by an object with *ab.* For its more common construction, see note on p. 66, line 8; and Z. 779.

36. Æquitate animi. Composure and tranquillity of mind, such as is undisturbed by either prosperity or adversity. Orelli and Schultz, *tuæ vitæ;* and below, Or., Sch., and St., *quidem tuæ.*

38. Quamvis sis sapiens. Sapiens enim gloriam, quæ virtutis fructus est, non quærit, ipsa virtute contentus.

39. Parumne .... gloriam magnam, i. e. parumne gloriam, quæ est magna, alicujus ponderis. We need not, therefore, read with Weiske *magnam gloriam,* on the ground that *parum,* to avoid ambiguity, must not be too remote from the word to which it belongs. For *parum gl. m.,* i. e. non satis gloria magna, is "not enough fame," to be considered great; *par. magna gl.* is "a not great enough fame," i. e. an insignificant, insufficient fame. The common reading, therefore, as

less restricting the *magn.*, is to be preferred, as the words *satis* . . . . *parum*, which follow, clearly show. 72

40. Immo vero. Z. 277.

41. Quidquid est enim. Orelli, Schultz, and Steinmetz, *q. enim est . . . . amp. sit, id certe parum est tum.*

2. Admirationis . . . . gloriæ. So below, § 28, *mirari* and *laudare* are opposed to each other. 73

3. In suos cives. Sermo est v. c. de uno pluribusve civibus servatis. Orelli. Schultz and Steinmetz omit *cives.* Orelli and Schultz read *pervagata multorum et magnorum.* Compare *Phil.* 1, 12, 29.

CH. IX.—**5. Pars.** This word here, as *actus* immediately afterwards, seems borrowed from the drama, although the plural of *pars* is more common in this sense. Compare *ad Q. fratr.* 1, 16, 46.

6. Constituas. The common reading here is *constituas eaque tu inprimis composita cum summa, &c.* *Componere* is used especially of the peaceful settlement of disputes, civil disturbances ; *constituere,* chiefly of institutions in the state, of ordinances, which then first become possible.

7. Tranquillitate et otio. Thus far Cæsar had been involved in perpetual wars.

8. Si voles. Z. 509.

9. Dicito. What imperative is this? Z. 151 and 583.

10. Quid enim est hoc ipsum diu, &c. Compare *de Senect.* 19, 69. Orelli, Schultz, and Steinmetz, *Quid est enim.*

12. Quia postea nulla est futura. This is in accordance with the principles of the Epicurean philosophy, to which Cæsar was attached. Or., Sch., and St., *futura est;* and, below, *semperque.*

15. Dicenda. Schultz and Steinmetz, *ducenda.*

16. Corpore et spiritu. *Spiritu* is added purposely, to denote merely the physical life. *Animo et corpore* is the more common expression.—*Continetur.* Z. 452. Sch., *illa, illa, inquam, vita, &c.*

19. Ostentes. Facias ea, quibus memoriam tui æternam reddas.

23. Munera, i. e. spectacula omnis generis, ludos gladiatorios, Circenses, naumachiam. Public festivals, considered as presents or donations to the people, are often so called. The old reading here was *monumenta innumera,* which Steinmetz retains. But *innumerus* is not a Ciceronian word, and *munera* adds a new and appropriate notion. Cæsar too had just before exhibited such games and shows with great splendor. Cf. *Phil.* 2, 45, 116.

24. Tuos. The emphatic position of *tuos* should be noticed.

25. Vagabitur = innotescet quam plurimis, sed sine constante laude, but wise civic regulations will place posterity, who will enjoy them, under constant obligations to you, and they, with a feeling of thankfulness, will ever magnify your fame. After *sedem,* Orelli, Schultz, and Steinmetz give *quidem.*

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73 **29. Requirent,** is here a softer term for *reprehendent.*

33. Haud scio an. Z. 354 and 721.

34. Sine cupiditate, i. e. sine studio partium, unbiased by party zeal. Below, Or., Sch., and St., *etiam si tunc.*

36. Quidam. The Epicureans.

CH. X.—**39. Distractæ,** contrariæ. It is explained by *consiliis et studiis . . . dissidebamus,* which immediately follow. For *consilia* are the consequence of *sententiæ, studia* of *voluntates.* There is no need also of applying the figure zeugma here, for *armis* and *castris* are like the preceding substantives, *abl. causæ* and = propter arma et castra, quæ secuti eramus. This chapter appears to begin abruptly, and without easy transition from what has gone before, unless we consider it to be a more circumstantial repetition of what has preceded, in order to lead Cæsar to the present state of his circumstances, and the dispositions of the pardoned Pompeians, and to introduce the conclusion with an expression of thanks.

41. Obscuritas quædam, utra causa esset melior, justior. Orelli, Schultz, and Steinmetz read *autem* for *enim* before *obscuritas.*

42. Clarissimos duces. Pompey and Cæsar.

43. Optimum, utrum tecum an cum Pompeio essent.—*Expediret,* utile esset; *deceret,* conveniret, pro gestis honoribus, for in Pompey's camp were the higher in rank. Cf. *p. Deiot.* § 11.

44. Liceret, fas esset, sc. deserere partes amici et transire ad Cæsarem.

74 **1. Misero fatalique bello.** The evils and horrors of civil war were willingly charged to a sad fatality. Compare *p. Lig.* § 17.—*Vicit is, qui non . . . . inflammaret. P. C.* 483 (2); Z. 556.

4. Arma ab aliis posita, ab aliis erepta sunt. *Ab aliis,* by some voluntarily, e. g. Cicero and others, after the battle of Pharsalia: *ab aliis,* from others, who had renewed the war in Africa. The addition of the preposition in the latter clause marks more prominently the violence necessary, and gives concinnity to the sentence. Notice also the different relation in which the preposition stands to *posita* and to *erepta.* In the first clause it introduces the active subject; in the second, the suffering person from whom the weapons were wrested.

6. Liberatus . . . . tamen. Z. 635. Below, Orelli, Schultz, and Steinmetz read *sit melior* and *armis et extincta.*

12. Nisi te . . . . salvo . . . . manente. Z. 638.

15. Hæc, hanc urbem. See note on p. 15, line 20. In the next line, Orelli, Schultz, and Steinmetz read *ut vitæ, ut saluti tuæ.*

18. Excubias et custodias. Properly night and body guards: for the former stands generally of the watch, which is kept at night; the latter of the watch, which defends the peace, welfare, and safety of another. It is not necessary with some to refer this to a body-guard of soldiers, for Cæsar rejected with disdain a standing body-guard. It

rather refers to the readiness of the senators to defend Cæsar at the risk of their own life.

19. Oppositus = oppositiones, an ἅπαξ λεγόμενον in Cicero. So *positus, appositus*, and other compounds, occur for the form in *io*.

CH. XI.—**21. Ut.** Klotz has admitted this conjunction from MSS., by which the sentence is more compactly connected and rounded. So also Steinmetz, Süpfle, and Schultz.—*Unde*, sc. gratiarum actione.

22. Gratias agimus .... habemus. See note on p. 12, line 11. Lambinus reads *majorem*, sc. gratiam, in accordance with the more common construction of *habere*.

23. Majores, to preserve the construction uniform and parallel with the preceding *maximas .... agimus*. Compare *ab aliis posita, ab aliis erepta*, § 31. Notice also that the comparative enhances the superlative, for the superlative does not always mean the *highest*, but only a *high* degree of a given quality. Cf. *de Off.* 3, 121: *Tibi persuade, esse te quidem mihi carissimum, sed multo fore cariorem*, &c.; *in Cat.* 3, 5, 13.—*Idem sentiunt.* Entertain the same sentiments of gratitude.

24. Lacrimis. Compare *p. Sert.* 11: *flens universus ordo dicitur orasse*, and *p. Lig.* § 13.

25. Stantibus. Senators who did not wish to make a speech on the question, assented while retaining their seats. *Ad Fam.* 5, 2, 9: *sedens iis assensi.* The text in this passage is very corrupt. Orelli gives: *sed, quia non est stantibus omnibus necesse dicere, a me certe dici volunt, cui necesse est quodam modo, quod volunt; et quod fieri decet, et quod, M. Marcello a te huic ordini, populoque Romano et rei publicæ reddito, fieri id intelligo.* This he explains as follows: But because it is not necessary for all to rise and speak, they desire me to do so, upon whom their wish imposes the obligation; both because it is proper in itself to give thanks now to you, and because it is M. Marcellus, my friend, that has been restored by you, for whose restoration I now thank you. With slight variations the common text agrees with the above from Orelli, except that *et* is given before *quod volunt*, and *fieri* omitted before *decet;* and *præcipue a me fieri debere*, or *præcipue id a me fieri debere*, or *præcipue id a me fieri*, are found before *intelligo.* But of *præcipue a me* and *debere* there is no trace in MSS. Steinmetz from MSS. gives the reading of Klotz, except that after *quodammodo* he retains in brackets *et quod volunt* and *et quod* before *M. Marcello.* He also indicates a lacuna before *fieri id intelligo.* They wish me to speak, who am under a kind of necessity of so doing, and who feel the propriety of it, since Marcellus has been restored, &c.

28. Non de. Orelli, Schultz, and Steinmetz, *non ut de;* and in the next line, *sed ut de*, &c.

Page 74 **29. Quod autem, &c.** The construction is, *Quum autem præstiterim tamdiu, quamdiu dubitatum est de salute illius, id, sollicitudine, cura, labore, quod est summæ benevolentiæ, (quæ .... nemini) certe debeo præstare hoc tempore* (sc. id, quod summæ benevolentiæ est), *liberatus magnis curis, molestiis, doloribus.* But since I have, so long as his safety was uncertain, shown him by my solicitude, anxiety, and efforts, the highest marks of affection (which all know I have felt towards him, so as hardly to fall behind his most excellent and loving cousin, besides him so as to yield to no one), these same marks of affection I ought certainly at the present time, when I am relieved from care, trouble, and pain, to testify. Compare *ad Fam.* 4, 7, 6, and 9, 4.

32. Fratri, sc. patrueli.

35. Itaque, &c. This is a second evidence of affection, that he thanks Cæsar, as if the greatest benefit had been conferred not upon Marcellus, but himself.

36. Sic, huic rei convenienter, with such sentiments of gratitude.

37. Tamen, with reference to the correlative concessive, with preceding participle. Z. 635. The sentence may be resolved into ut, licet omnibus rebus non solum conservatus, sed etiam ornatus sim, tamen.

38. Unum, adds emphasis, ut alios taceam.

39. Maximus .... cumulus accesserit. Maximum cumulum accessisse profitear. In Latin two clauses are not unfrequently connected *immediately* with each other, the logical connection of which is only *mediate.* Cf. *Tusc.* 4, § 47: *Ita .... definit, ut perturbatio sit,* for *ut dicat perturbationem esse.* Z. 748.

THE ORATION FOR Q. LIGARIUS.

INTRODUCTION.

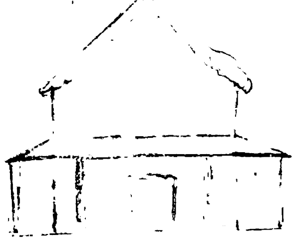
LIGARIUS was the name of three brothers, who lived in the time of the civil wars between Cæsar and Pompey. They were of Sabine origin.

Q. Ligarius is first mentioned in A. U. C. 704 as legate, in Africa, of C. Considius Longus, who left him in command of the province, while he went to Rome to become a candidate for the consulship.

On the breaking out of the civil war in the following year, L. Atius Varus, who had commanded the Pompeian troops at Auximum, and had been obliged to fly before Cæsar, arrived in Africa, of which province he had been formerly proprætor. Into his hands Ligarius resigned the government, although L. Ælius Tubero had been appointed to the province by the senate; and when Tubero made his appearance off Utica shortly afterwards, he was not permitted even to land. Ligarius fought under Varus against Curio in the course of the same year (A. U. C. 705), and against Cæsar himself in 708. After the battle of Thapsus, in which the Pompeian army was defeated, Ligarius was taken prisoner at Adrumetum. His life was spared, but he was banished by Cæsar. His friends at Rome exerted themselves to procure his pardon, but were unable to succeed at first, notwithstanding the intercession of his brothers, of his uncle, T. Brocchus, and of Cicero himself, who had an audience with the dictator on the 23d of September, A. U. C. 708, for the purpose. Meantime, a public accusation was brought against Ligarius by Q. Ælius Tubero, the son of L. Tubero, whom Ligarius had united with Varus in preventing from landing in Africa. He was accused on account of his conduct in Africa, and his connection with the enemies of the dictator. The case was pleaded before Cæsar himself in the forum. Cicero defended Ligarius in the following speech, in which he maintains that Ligarius had as much claim to the mercy of Cæsar as Tubero and Cicero himself. Ligarius was pardoned by Cæsar, who was on the point of setting out for the Spanish war, and who probably was not sorry to have this public opportunity of exhibiting his usual mercy. The speech which Cicero delivered in his defence has been much admired. Ligarius, however, felt no gratitude for the favor that had been shown him, and eagerly joined the conspirators, who assassinated Cæsar in A. U. C. 710.

Appian speaks of two brothers of the name of Ligarius, who perished in the proscription of the triumvirs in A. U. C. 711 (*B. C.* iv. 22); and in the following chapter, he mentions a third Ligarius, who met with the same fate. Now, as Cicero expressly mentions three brothers of this name, Q. Ligarius must have been one of those who were put to death on this occasion. *Dict. G. and R. Biog. and Myth.*, LIGARIUS.

The oration of Q. Tubero against Ligarius in this trial, was still extant in the time of Quinctilian (cf. 10, 1, 23). But after his failure in this cause, he abandoned the profession of oratory, and devoted himself to the study of the civil law.



ANALYSIS.

1. The introduction consists of a continued and well-sustained irony. Cicero ridicules Tubero, for bringing an accusation against Ligarius before Cæsar, on account of a matter that is known to everybody; represents himself as stripped of all means of defence, by the charge of so unheard of a crime, as the having been in Africa; and proceeds to treat the whole accusation as trifling and contemptible. He accordingly goes on, in subtle and covert irony, to urge that the disclosure of this crime compels him to resort to Cæsar's humanity as his only refuge; by which, he adds, so many already have been preserved to their country, whom Cæsar has pardoned, not for any crime, but only for an error, and among them Tubero also, who, however, as well as his father, has more to answer for to Cæsar, than Ligarius who is charged by them with a crime, from which they are not able to clear themselves. (§ 1, 2.)

2. The narration shows, that Ligarius was in Africa, but without any fault of his own, and not as Cæsar's enemy; for,

(*a*) He went as legate into the province of Africa before the outbreak of war was suspected;

(*b*) He was constrained, when Considius withdrew, by the urgent wish of the inhabitants, against his will to assume the government of the province;

(*c*) He refused the command offered to him, but was unable, becoming involved in the war, to escape from the province. (§ 3–5.)

3. The argument itself has two parts: the first invalidates the charge of the accuser; the second commends Ligarius to Cæsar's mercy.

(1) The orator introduces his proof of the weakness of Tubero's accusation by a panegyric on Cæsar, for having spared him who had been a Pompeian (§ 6–8), and then shows,

(*a*) How unwise and inconsiderate the accusation is, since the accuser had actually fought against Cæsar, while the accused had only been in Africa (§ 9, 10);

(*b*) How cruel and inhuman, since it aims at the death of Ligarius (§ 11, 12), or at least hinders his pardon (§ 13, 14), a cruelty which Cicero purposely depicts in the strongest colors (§ 15, 16);

(*c*) How unreasonable and unjust, since Tubero has called the error of Ligarius treason, whereby he reflects upon the whole party of Pompey, and even condemns his own and his father's course (§ 17–19); in respect to (1) his own journey to Africa, which was entered upon by command of the senate § 20–23), (2) his zeal to defend this province (§ 24), and (3) his firmness and consistency, in supporting the party of the senate, even after his affront (§ 25–28);

(*d*) How absurd and foolish it is, to desire that Cæsar, who has pardoned public offences, should avenge private grievances. (§ 29.)

(2) He directs his discourse to secure pardon for the accused, and,

(*a*) In connection with praise of Cæsar, he makes frank confession of his own mistake and fault (§ 30, 31);

(*b*) He draws a touching picture of the sorrow and distress of the brothers and kinsmen of Ligarius, who are present, and have been constant friends of Cæsar (§ 32–34);

(*c*) He briefly sets forth the merits of one of the brothers, T. Ligarius, for service done to Cæsar, who now is reminded that he has it in his own power, to show him a grateful recollection of the favor (§ 35, 36);

(*d*) He in a few words alludes to the glory which Cæsar has already obtained by the preservation and pardon of Marcellus (§ 37) ; and finally,
(*e*) Describes the praise, which the attributes of mercy and compassion win. (§ 38.)

4. In conclusion, the orator leaves the entire cause to Cæsar's own reflections, and only reminds him that, by preserving Ligarius, he will at the same time preserve the happiness and welfare of many more.

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CH. I.—**Novum crimen.** Ironically, as if he had said, "A monstrous charge this, Cæsar, that Ligarius was in Africa! (as if you had not pardoned even your Pharsalian foes before now;) and what is worse still, Pansa, no mean authority, has had the hardihood, trusting, no doubt, to his intimacy with you, (as nothing less could warrant such a communication,) to confess this fact! I am, therefore, completely at a loss; for (as no one could *defend*) I was prepared to *deny* the charge, which being so *new* (i. e. notorious), you, of course, could have no means of learning, either of yourself or from other sources." M'Kay. Cf. Quinctil. 4, 1, 38 and 70; 9, 2, 50; 11, 1, 78.

2. **Inauditum.** Benecke, Soldan, Madvig, and others read *non auditum*, as found in Quinctil. 11, 3, 108; and some MSS. Benecke thinks that the separation of the negative particle gives it prominence and sharpens the irony.—*Propinquus meus.* So ch. 3, § 8: *adolescentis propinqui.* The elder Tubero appears to have married into the "gens Tullia." Cf. ch. 7, 21; and *ad Att.* 13, 20. He here refers to this relationship obviously to show that his predilection should be in favor of the accuser, and, therefore, that his confidence must be great in the innocence of Ligarius.—*Q. Ælius Tubero*, having failed in his charge against Ligarius, devoted himself exclusively to the study of jurisprudence. He was a writer on public and private law, and is often mentioned in the Digest.

3. **In Africa fuisse.** Cicero carefully extenuates the act of Ligarius, and makes no allusion to his having taken up arms against Cæsar, which doubtless formed the gravest part of Tubero's charge.—*C. Pansa.* C. Vibius Pansa was consul with Hirtius, A. U. C. 711. He died at Bononia (Bologna), from a wound received in the first battle with Antony, near Mutĭna (Módena). When tribune of the people, A. U. C. 703, he, with his colleague Cælius, opposed the decree of the senate to appoint a successor to Cæsar in the command of the province of Gaul. The intimacy and affection which existed between him and Cæsar may be learned from *ad Fam.* 6, 12. That the words *præstanti vir ingenio* are spoken without irony, appears also from the same epistle.

4. **Fretus .... ausus est.** The force which these words add to the irony of the passage should be noticed. *Audeo* and *non dubito*, when not used merely as auxiliaries for form's sake, but with full and emphatic meaning, are put before their infinitive.

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5. Confiteri. This is not to be understood of testimony given by a witness whom the accuser has brought forward, which would be expressed by *dicere in eum* or *profiteri*, rather than by *confiteri*, but of a simple acknowledgment or admission, although it may be a forced or unwilling one. Matthiæ adds, as the complement of *confiteri*, "se quoque cum Ligario in Africa fuisse;" Soldan more correctly understands *idque* or *novum istud crimen.*—*Vertam.* *P. C.* 109; Z. 552.

6. Quum ..... scires ..... potuisses. *P. C.* 489; Z. 577. Observe the change of tense. See *P. C.* 125, 130, 131.

8. Abuterer = take advantage of. Cf. *p. Mil.* 2, 6.—*Paratus .... ut .... abuterer.* Prepared to take advantage of. *P. C.* 58, compared with § 12; Z. 531.—*Investigatum.* A metaphor taken from hunting.

9. Ut opinor. Z. 777. Klotz: *investigatum est id, &c.*

10. Quum ..... fecerit. Z. 577.—*Ut .... non esset.* *P. C.* 62 and 77 [C. xiv.]; Z. 531 and 532.—*Integrum.* Derived from *in*, i. e. *non* and *tango*. It expresses what is unchanged from its original condition, so that the whole control and shaping is free. There was no more room for denial. The orator was restricted to one course of proceeding.

12. Plurimi. Adversarii, Pompeiani, quorum magnus numerus fuit.

13. Quum ..... impetravissent. *P. C.* 343, 344, 353, 358. The pluperfect subjunctive stands of a past action in reference to an action also past. Z. 505, f.—*Culpæ*, voluntary; *errati*, involuntary.

14. Habes igitur, &c. Cf. Quinctil. 4, 2, 67.

15. Hoc confitentem. So Orelli, Madvig, Süpfle, Klotz, and Soldan. The common reading is *ita conf.*, after which we might have expected, *ut se in ea parte dicat fuisse.* But *ita* and *sic, id, hoc, illud* are often used where they seem superfluous, e. g. with verbs of *hearing, learning, affirming, doubting, &c.* They are then generally followed by the infinitive (if the verb would otherwise be so constructed), or by *ut* and the subj. Z. 748.

16. In ea parte, sc. the party of Pompey.—*Qua te, qua virum.* On the omission of the preposition with the relative, when it stands before the same case of the demonstrative, and the relative and demonstrative clauses have a common predicate, see Z. 778 and 774. On the case of *te* and *virum*, Z. 603 (*a*). After *te* the common text has *Tubero.*

17. Prius .... quam. *P. C.* 502.

18. Confiteamini necesse est. *P. C.* 504; Z. 625.

19. Reprehendatis. *P. C.* 498 and 501; Z. 576.

20. Q. enim Ligarius. *Enim* is very often used, in passing to a more detailed statement, or explanation of a subject which has been generally mentioned before. This has led copyists to substitute other

particles, as in this passage, *igitur*, which some retain against the better authority of MSS. For the position of *enim*, see *P. C.* p. 256, 98.—*Quum esset.* Z. 578. He distinguishes *three* periods, all without charge against Ligarius, of which the *first* is, his lieutenancy. After *esset* in some editions *adhuc* is given, which, in Cicero, almost always refers to the present of the speaker or writer. See ch. 2 init.: *Adhuc Ligarius, &c.*, i. e. ex iis, quæ *ad hoc usque tempus* demonstravi. Z. 292. In our passage the best MSS. omit *adhuc*.

21. C. Considio. On the breaking out of the civil war, he espoused Pompey's party, and returned to Africa, where he took part in the war. He was murdered by the Gætulians, A. U. C. 707.

22. Et civibus. Civibus Romanis, qui in Africa negotiabantur. —*Et sociis.* The provincials.—*Decedens.* This is the *verbum proprium* of one who is returning from the government of a province. It is, as here, construed with the ablative alone, or with *de* and *e*. The latter construction is used of leaving the country, the two former of leaving the administration of the province. Where there is no notion of place, Cicero usually repeats the preposition, as *de bonis decedere, de sententia d., de officio d.*

23. Si quemquam. Z. 709, *b*.—*Si . . . . . præficisset.* Z. 517 and 524. If the governor of a province left before the arrival of his successor, it was customary to commit the administration, in the mean time, to a quæstor, as next in rank, rarely to a legato, to avoid giving offence. *Ad Fam.* 2, 15 and 18; *ad Att.* 6, 6. Here the provincials, however, insisted on having Ligarius as vice-governor.

24. Itaque Ligarius, &c. The *second* period; partly peace, partly war. In both Ligarius was "sine crimine notus." For the *third*, see 2, 5.

25. Accepit invitus. Z. 682.

26. In pace. *In pace, in bello, &c.*, express not simply the notion of *when*, but *during*. *De Off.* 3, 25: *Agamemnon quum devovisset Dianæ, quod in suo regno pulcherrimum natum esset* i l l o a n n o, *immolavit Iphigeniam, qua nihil erat* i n e o *quidem* a n n o *natum pulchrius.* Here the ablative without *in* simply answers to the question *when*, and the difference between *illo anno* and *in eo anno* is apparent.

27. Bellum, sc. between Pompey and Cæsar.—*Exarsit* expresses the suddenness of its outbreak.

29. Cupiditate inconsiderata. From thoughtless party zeal, because they favored the cause of Pompey.—*Cæco quodam timore.* From a blind (mistaken) fear, of Cæsar. For though friends of Pompey, they had nothing to fear on that account from Cæsar, if they took no sides against him. On *quodam*, see Z. 707.

30. Primo salutis, &c. They looked out for a leader; first to protect them, afterwards to favor their inclinations, sc. for Pompey.

Page 76 **1. Quum ... passus est.** See Z. 581.—*Domum spectans.* This is said to gain Cæsar's favor, who regarded those that remained at home, as friends. In his view neutrality was innocent; in Pompey's criminal.

3. P. Atius Varus. This zealous partisan of Pompey, soon after the outbreak of the civil war, had as a private citizen (vir prætorius), like many others of Pompey's party, fled before Cæsar into Africa. On the submission of Africa to Cæsar, he fled to Spain, where the sons of Pompey had collected a formidable army against Cæsar. Here he lost his life in the battle of Munda, 709, in which the Pompeians in Spain were completely conquered. See Cæs. *B. C.* 1, 13 and 31; 2, 23, seqq.—*Prætor Africam obtinuerat.* A few years before, after his prætorship, he had been governor of Africa. *Prætor* was a common name of all governors of provinces.—*Uticam.* After the destruction of Carthage this was the chief city of the province. It was situated on the sea, 27 miles from Carthage, and celebrated for the death there of *Cato Uticensis.*

4. Non mediocri cupiditate. Z. 472. *Cupiditate* = partium studio, quod Pompeio favebant. Pro eo mox est *studium.*

5. Si illud imperium esse potuit. *Imperium* enim magistratus lege Curiata, privati senatus consulto accipiebant.

6. Ad privatum clamore. The Erfurt MS., with several others, reads *a privato clamore*, and this reading Klotz, Schultz, and Soldan adopt. Benecke, without adopting it, inclines to regard it as the true reading. He remarks also on the not unfrequent use with passives, of the preposition *ab* in connection with nouns which denote things, where either the source is indicated or the thing personified.

7. Qui .... cuperet. *P. C.* 481; Z. 564.

9. Conquievit, i. e. nihil agens restitit, nihil publice suscipiens remansit. Since Varus had seized the government, Ligarius withdrew from public business, but was soon afterwards compelled to take an active part in the war. Others understand it of the repose which Ligarius enjoyed from the cares of the administration, which had been the more burdensome, because of the disturbances of the more violent partisans of Pompey.

CH. II.—**10. Adhuc, &c.** Compare Quinctil. 4, 2, 51: *Si ... in longum exierit ordo rerum, erit non inutilis in extrema parte commonitio, quod Cicero etiam in brevi narratione facit: A d h u c C æ s a r;* and 108: *argumentabimur (in narratione) nunquam; argumentum ponemus aliquando, quod facit pro Ligario Cicero, quum dicit, sic eum provinciæ præfuisse, ut illi pacem esse expediret.*

11. Domo, i. e. patria, sc. Roma. Cf. Corn. Nep. *Epam.* 7, 2; 8, 1.

12. Suspicionem belli. Compare Quinctil. 4, 2, 51, and 110.

13. Pacatissima. Not with reference to other provinces, but to express the deep quiet and repose of this province.

14. Expediret. *P. C.* 62; Z. 531. The subject of *expediret* is *pacem esse*, i. q. pacis continuatio. Z. 597 and 600.

16. Non turpem. There was no dishonorable or sinister purpose in his going, and his remaining was a necessity even honorable, for it was by command of Considius, and in accordance with the wishes of the inhabitants of the province.

17. Etiam gives prominence to the notion of *honestam*, and is by the best MSS. more correctly placed just before it.

18. Efflagitatus. Importuned, prevailed upon by urgent entreaty. The preposition adds intensity, and carries the idea of successful urging.

20. Quo. Benecke, Madvig, Klotz, and Soldan read *quod* from the best authorities. The accusative of duration of time is found with *manere* and similar verbs.

21. Necessitatis crimen, a necessitate profectum. Because, surprised by the outbreaking of the war, and surrounded by excited partisans, he was compelled against his will to remain.—*An ille. P. C.* 120; Z. 353.

22. Si potuisset .... maluisset. *P. C.* 437 (*d*); Z. 524.—*Uticæ quam Romæ. Potius* is commonly read after *Uticæ*, and it is not an uncommon pleonasm with *malle*, but is not here found in the best MSS. Cf. Z. 747.

23. Cum .... cum. For the repetition of the preposition, see note on p. 18, line 5.

24. Quum .... fuisset. *P. C.* 489; Z. 577, 578.

26. Hic æquo animo. Potuitne hic æquo animo esse in bello sine fratribus, qui in pacatissima legatione sua fratrum desiderio conficiebatur?

29. Defendam. *P. C.* 109; Z. 552.

30. Prodo meam. This is the reading of almost all the MSS., and received by Benecke, Madvig, Klotz, Soldan, and others. It needs but to be stated, to be adopted. "See, I pray, with what integrity I defend his cause; I betray or sacrifice my own."—*Omnium laude. Omnium* is defended by Benecke, Klotz, and Soldan against the common reading *omni*, and they and Madvig also retain the *quum* of the MSS. before *M. Cicero.*

32. Defendit, followed by the acc. c. infin. is equivalent to *in defendendo dicit*, or *defensionis loco dicit, contendit.*—*In ea voluntate.* Cicero speaks with circumspection, using *voluntate* and not *factione*. Ligarius had, to be sure, stood on Pompey's side, but by compulsion, not of free choice.

34. Quid tibi de alio audienti de se ipso occurrat. For it may occur to you, while I am speaking in defence of Ligarius, that I too was one of those who opposed your cause.

35. Occurrat. *P. C.* 109; Z. 552.

Page 76 **Ch. III.—36. Reformidem,** repeated with emphasis, in reference to *extimescit*, which is used of a suddenly rising fear, and *reformidat* which expresses an anxious, lasting fear. *P. C.* 109 ; Z. 552.

37. Oboriatur. The compound expresses the suddenness of its rising. "See how, as I speak before you, the light of your noble generosity and wisdom bursts upon me, how the recollection of your nobleness and wisdom is vividly renewed in me."

38. Voce contendam. "I will raise my voice, I will exert myself to the utmost to make the Roman people hear this."

39. Exaudiat. *P. C.* 58 ; Z. 531. See note on p. 43, line 11. This oration was spoken before a public tribunal in the forum.—*Suscepto bello,* &c. Compare Quinctil. on this passage, 9, 2, 28 ; and 11, 3, 166.—*Gesto . . . ex parte magna.* Pompey having been driven from Italy, for in Italy Cicero took no part against Cæsar. See *ad Fam.* 6, 6, 6. Cicero embarked for Greece the 11th June, 705 (*ad Fam.* 14, 7, 2), to join Pompey, who had already embarked the 17th March, notwithstanding Cæsar and his friends sought to retain him, and even Cato disapproved the step, and he himself augured no good from the cause of Pompey. See *ad Att.* 10, 8.

40. Judicio ac voluntate. From reflection and choice. Z. 472, in fin. Cf. *de Off.* 1, 15, *beneficia . . . . quæ judicio, considerate constanterque delata sunt;* and 1, 9, *voluntate fieri.*

41. Apud quem igitur hoc dico? See Quinctil. 9, 2, 14.

42. Nempe expresses the speaker's conviction of a thing, with the expectation that the hearer will assent. It therefore often stands in questions which one answers himself, as § 9. It is also used to express displeasure, or with an ironical reference.—*Quum hoc sciret.* *P. C.* 489 ; Z. 577.

43. Antequam vidit, post Pharsalicam pugnam.

44. Ex Ægypto. Cæsar had gone to Egypt after his victory near Pharsalia, and became involved there in the Alexandrine war. Cicero meanwhile took no further part in the war, and had returned to Italy, where he endeavored through Cæsar's friends to obtain his pardon. He finally received from Cæsar the wished-for letter, probably through Philotimus. See *ad Att.* 11, 23 ; *ad Fam.* 14, 23 ; 24.—*Ut essem idem, qui fuissem,* i. e. ut dignitatem eam retinerem, quam ante bellum civile habuissem. *P. C.* 58 ; Z. 531 with 615: also *P. C.* 467, and Z. 547.

77 **1. In toto imperio.** With *totus* and similar notions of totality, the preposition is very generally omitted, though sometimes added, especially if the notion of *within* is to be made prominent. See Z. 482, Arnold's Nepos. *Me,* at the beginning of this line, is commonly given between *esse alterum.*

2. A quo . . . . concessos . . . . tenui. By whose permission, &c —*Hoc ipso.* The very Pansa who is here present. Z. 127.

3. Concessos fasces laureatos. Klotz: *conc. laureatos fasces.* After an important victory the general was commonly honored by his soldiers with the title of Imperator, and the lictors wreathed their fasces with laurel. *Ad Fam.* 2, 10; *ad Att.* 5, 20. So too, the letter in which the general announced his victory to the senate was twined with the same. *In Pison.* 17, 39; Liv. 5, 28, 13; 45, 1, 6. According to Appian, at least 10,000 of the enemy must have fallen in the battle gained to entitle to this honor. It was in the year 703, while Cicero was proconsul of Cilicia, that he gained this victory and received this honor. *Ad Att.* 5, 20; *ad Fam.* 2, 10; 15, 4. In the following year he left the province, and tarried some time at Athens. Having reached Brundisium near the end of November, in the beginning of January, 705, he moved on to Rome, without however entering it, since the outbreak of the civil war swept him with it, and deferred his hope of a triumph. He did not, however, abandon the hope of being allowed a triumph, and consequently did not enter Rome again till October, 707, and till his entry, when the laws would require him to lay down the imperium, he appears to have retained the insignia of command. See *ad Fam.* 14, 20; *ad Att.* 11, 24.

5. Reddere is the reading of the best MSS. instead of the common *dare*, which however Madvig retains. As what was lost and again restored, is spoken of, it seems also best adapted to the context. That *dedisset* should follow is not surprising, since it was not necessary to express a second time the more exact idea of *reddere*.

6. Vide, quæso, &c. This passage is variously given in the MSS. Benecke and Madvig read as in the text, except *de Ligarii non audeam confiteri.* After *non dubitem* many MSS. and Edd. give *dicere.* Some retain it in brackets. Klotz and Soldan read and defend *non dubitem dicere, de Ligarii audeam confiteri.* With regard to omitting the *non* before *audeam*, which the common reading gives, Benecke thinks there might be some doubt, since the irony which suits the passage, and so well corresponds to the ironical commencement of the speech, would be by the omission lost. Süpfle on the other hand regards the expression as gaining in force and irony, by the omission of *non.* The sense of the text is thus given by Orelli: Quum tam libere ac sine ullo metu de meo facto coram Cæsare loquar, facile intelliges me de Ligarii facto, re minoris momenti, æque libere dicere ausurum esse.

7. Dubitem. *P. C.* 484; Z. 564.—*De Ligarii.* Would the insertion of *eo* in accordance with the English idiom be allowable in Latin? Z. 767.—*Audeam. Vide .... ut .... audeam.* *P. C.* 109; Z. 552.

8. Quum de se, &c. The reflexive shows that this sentence is referred to the mind of Tubero. Ernesti, not inaptly, resolves it by *quum de se eadem me dicentem audiret.*

Page 77 **9. Dicerem.** *P. C.* 467; Z. 547.

10. Propter propinquam cognationem. See note on p. 75, line 2. Observe the change of construction, by which the two following clauses, as substantives, here take the relation of accusatives governed by *propter*. This change is not uncommon, though it offends against concinnity of expression. It is a sacrifice of one of the proprieties of language, to a higher law, sometimes of necessity, since not every root has the same fulness of development into the various parts of speech, with the same form of construction.

13. Quis putat. So Benecke, Klotz, Soldan, and Madvig. The independent question is better suited to the context than the dependent *putet*, which the common reading gives. Also with the *Cod. Erf.* and others, *Ligarium*, which commonly stands after *in Africa*, and which Klotz retains, is omitted by Benecke and others. On this passage compare Quinctil 5, 13, 30.

14. Prohibitum se a Ligario. Rather by Atius Varus. Cæs. *B. C.* 1, 3.

16. Est congressus armatus. This neither Cicero nor Ligarius had done, for the latter had remained in Africa only from compulsion, while Tubero had taken an active part in bearing arms.—*Quid enim, Tubero,* &c. See remarks of Quinctil. 9, 2, 38, on this powerful and strong apostrophe; and cf. Plut. *Cic.* 39.—*Tuus ille destrictus.* This order, which throws the force on *destrictus*, is given by the MSS. and best suits the passage.

17. Agebat = spectabat, propositum habebat, as in the phrase, *id agere ut.*

18. Qui sensus erat armorum tuorum? Armis sensum tribuit amplificandi gratia, poetico more.

20. Commoveri videtur adolescens. *P. C.* 297; Z. 380 and 607.

21. Ad me revertar. Z. 209, in fin.

Ch. IV.—**22. Quid .... aliud egimus .... nisi ut.** See Z. 614 and 748, and 735. Fortissime defendentis est, judice Quinctil. 5, 13, 5.

23. Hic. Cæsar.—*Possemus.* *P. C.* 58; Z. 531.—*Quorum .. eorum.* This is a common inversion. The emphasis lies wholly on *impunitas.*

24. Laus est. *Laudi est* is more common. The dative expresses the tendency or aim, the nominative denotes more the realization. Cf. Z. 422, *Note.*

25. Acuet. Klotz and Soldan, *acuit.*

26. Etiam tuam, sed multo magis. *Etiam* is thus used in the first member, and *sed* or *quidem* or *certe* in the second, to show that two things occur; but the latter often and certainly.

27. Quum ... tum etiam. Z. 723.—*Doctrina excellens.* See

what Cicero says of him, *ad Q. Frat.* 1, 1, from which we should infer that *doctrina* is not to be limited to *scientia juris*, but is used of culture and learning generally.

28. Genus hoc causæ quod esset. Cf. *Deiot.* 11, 30: *Quis tuum patrem .... qui esset;* and note on p. 70, line 1.—*Quod .... non viderit.* *P. C.* 461, 518, 519; Z. 629.

29. Agi may be taken absolutely, or *causam* can be supplied.

31. Ut ego dico. Klotz, *dicam.*

32. Hæc admirabilia. This passage is much interpolated in the MSS. For this reading, which Benecke, Klotz, Madvig, and Soldan also give, we are indebted to the *Cod. Col.* The common text is unsound in various respects. It may be noticed that Cicero usually omits the substantive verb in such short clauses. See Z. 776.

33. Ista accusatio. See note on p. 9, line 16. Klotz, *ist. ac. tua.*

34. Condemnetur .... necetur. *P. C.* 58; Z. 531.

35. Externi isti mores, &c. This passage is also variously given. The common text is, *externi isti sunt mores; .... incitari solet odium aut levium,* &c. Klotz, Benecke, Süpfle, Soldan, and others reject *sunt* and read *incitari solent odio,* &c. The sense then is as follows: Externi isti mores, hoc est, non Romani, qui graves sunt, sed exterorum populorum, ut aut levium Græcorum aut immanium barbarorum, solent odio aliquo suscepto ac penitus insito ad sanguinem petendum incitari. Benecke makes the following genitives depend on *odio;* Süpfle more correctly considers them as a supplementary explanatory appendix, limiting or determining *externi isti mores.* He would also prefer, if MSS. allowed it, to omit *solent,* as Wunder and Madvig do, by which the passage gains in energy.

37. Ne sit. Supply *id agis,* with this and the following subjunctives which denote the purpose. *P. C.* 58; Z. 531.

39. Consobrino suo. According to the old grammarians and lawyers *consobrinus* stands for *consororinus,* and denotes properly children of two sisters. But the word is used in a wider sense of the children of both brothers and sisters. Since now *avunculus* denotes the mother's brother, and therefore the mother of Ligarius was the sister of Brocchus, his son was properly the *amitinus* of Ligarius. Klotz also reads, *avunc. suo.*

41. Italia prohibetur, exsulat. Z. 783.

42. Hunc. Ligarius, who is conceived of as present.—*Privare* is more rhetorical than *privari,* and presents Tubero in a more cruel light. So the monosyllable *vis* closes the sentence with abruptness and force. Therefore Manutius: mira vis in numero: solet enim Cicero, quæ sunt acerbiora, breviter concludere, ut illud quoque proximum, *Italia prohibetur, exsulat.*

43. Dictatorem. L. Cornelius Sulla. Cf. Plut. *Sull.* 31; and Vell. Pat. 2, 28, 3.

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1. Jubebat occidi. Z. 617.—*Nullo postulante.* Z. 676.—*Præmiis.* He offered a reward of two talents for the head of any proscribed person.

2. Quæ tamen crudelitas, non Sullæ sed eorum, quos ipse præmiis invitaverat.—*Aliquot annis post.* Seventeen years afterwards; for Sulla was chosen dictator in the year of Rome 672, and in the year 690 Cæsar, as president of the *quæstio de sicariis,* extended the prosecutions to those who, during Sulla's proscriptions, had murdered Roman citizens for money. See Suet. *Cæs.* 11; Dion Cass. 37, 10. Benecke considers from *quæ tamen* to *vindicata est* an interpolation.

CH. V.—**5. Novi enim te,** &c. The *anaphora* or repetition of *novi,* may be noticed, which contributes to the animation and energy of the discourse. In the second member the order is inverted, making the arrangement of the period chiastic.

6. Studia generis ac familiæ vestræ virtutis, &c. This is again an instance of several genitives limiting the same noun in different relations. *Generis* and *familiæ* are genitives of the subject, the others of the object. Z. 423 and 791.—*Generis,* i. e. gentis, the Ælian, of which the Tuberos were a *familia,* among the Lamiæ, Pæti, &c. On the virtue and learning of the Ælians, to which Cicero frequently alludes, see *de Orat.* 1, 45, 198; *Brut.* 20, in., and 56, 205. Of the family of the Tuberos, the most prominent was the grandfather of the accuser, Q. Ælius Tubero Stoicus, *vir eruditus . . . et honestus homo et nobilis. p. Muren.* 36, 75.

7. Plurimarum artium atque optimarum. By this the Romans understood the *studia liberalia,* the study of philosophy, history, eloquence, and poetry. Benecke brackets these words, because they are not found in *Cod. Col.,* and he regards them as a gloss on the preceding *humanitatis, doctrinæ.* Klotz and Soldan, with Ernesti, remove the comma and connect them with *doctrinæ.* The common text has *studia denique . . . . nota sunt mihi omnia.* Klotz and Soldan also retain *omnia,* placing a colon before *nota,* and making *nota mihi sunt omnia* a general conclusion.

9. Res enim eo spectat, i. e. eam vim habet. He accuses them of unintentional cruelty; because Ligarius being already in exile, any punishment must be worse than that, i. e. must be death.

10. Ut . . . . non videamini. Z. 532.—*In qua . . . . sit.* Z. 547.

12. Sicuti est. This is a formula of frequent occurrence, used to confirm the truth of what has been previously expressed conditionally.

13. Ignoscatur. Benecke and Klotz read *ignoscat,* sc. Cæsar. What is the construction of *ignoscatur?*—*Hoc vero multo acerbius.* This denial of pardon is harder than death itself. The love of country was strong in the Romans, and hence the misery of perpetual exile.

14. [Domi] petimus. Since this cause was argued in the forum, it seems necessary to erase *domi*, or read *petiimus*. Madvig omits *domi*. Matthiæ defends the common text as spoken generally, remarking that in what follows Cicero speaks of what was actually done. Soldan with Klotz retains *domi petimus*, and considers with Manutius the present as used for the perfect for the purpose of vividness of description. Benecke would read, *Quod nos petimus .... oppugnabis? .... repente irruisses .... misereatur .... Quanto hoc durius, id te in foro oppugnare et in tali, &c.*—*Precibus, lacrimis.* Omittenda est copula *et*, propterea quod a minore, ut dicunt, ad majus hoc loco ascendit oratio. Soldan. Madvig, however, retains *et*. On the different kinds of the asyndeton, see Hand, *Turs.* ii. p. 472; and *Lehrbuch des lat. Stils.* pp. 301, 302.

16. Ne impetremus, pugnabis. Z. 543. Benecke, Klotz, and Soldan read *oppugnabis.*

18. Si ... irrupisses ... cœpisses: .... nonne ... exuisses. *P. C.* 435 (*d*), (2), 437 (*d*); Z. 524.—*Quum ... faceremus.* Z. 578. —*Quod et fecimus.* See *ad Fam.* 6, 14.

19. Repente. The old reading is *derepente*, but this form belongs to earlier latinity, and is not elsewhere used by Cicero, nor here sustained by the best MSS.—*Irrupisses.* Benecke would prefer *irruisses*, which Madvig and Soldan, from *Cod Erf.* as shown by Freund, adopt. *Irrumpere* involves the notion of violence and force, which here is not so suitable as the notion of rapidity and haste, which is contained rather in *irruisses.*

20. Cave ignoscas. *P. C.* 539; Z. 586.

21. Misereat. Z. 441. Benecke, Madvig, and Soldan, *misereatur.* Z. 442.

23. Te in tali miseria .... tollere. The change from the passive to the active construction has given offence here. Some have therefore preferred *te .... oppugnare* and *tollere;* others either *tolli* or *multorum te perfugium .... tollere.* Such instances of enallage are however elsewhere found. Orelli alone, so far as appears, and without reason, changes the common reading *et in tali* into *te in tali.*

24. Perfugium misericordiæ. The refuge of mercy, i. e. the refuge which the wretched find in Cæsar's clemency. Compare note on p. 26, line 16. In *Manil.* § 39 the construction is different.

25. Si .... non esset .... redundaret. *P. C.* 435.

26. Per te .... obtines. Possess naturally. Cf. *ad Fam.* 6, 6, 8: *in Cæsare .... mitis clemensque natura;* and Sall. *Cat.* 54; Suet. *Cæs.* 71. For *quantam*, Benecke, Klotz, Soldan, and Madvig read *quam.*

27. Intelligo, quid loquar. An *aposiopesis* which means more than it says. *Tacuit enim illud, quod nihilo minus accipimus, non*

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78 *deesse homines, qui ad crudelitatem eum impellant.* Cf. Quinctil. 8, 3, 83 and 85.—*Loquar.* *P. C.* 109; Z. 552.

28. Quam multi . . . essent. *Essent* in the consequent clause of a conditional proposition. *P. C.* 430. Benecke questions the genuineness of this passage down to *misericordem.*—*De victoribus.* *P. C.* 165, h; Z. 430, in fin. Why would not the genitive be suitable here?

29. Qui . . . . vellent. Z. 547; also 561, 563.—*De victis.* See preceding note.—*Quum . . . . reperiantur.* Z. 577.

30. Quum a te ignosci nemini vellent. From the wish that you should pardon no one. Why not *neminem?* Krebs, *Guide,* § 171; Z. 412.

31. Ipse ignovisti. Of your own accord.

33. Probare. Persuade, induce to believe.

34. Saluti civi . . . . esse. Z. 611, cites this passage with the common reading *civis calamitosi consultum esse.* The best MSS. give it as in the text, and so the latest editions. *Saluti esse alicui* is used of an advocate who defends the cause of his client. *De Orat.* 2, 49, 200; *Pro Arch. p.* 1, 1.

35. Hominis non esset. *P. C.* 190, 191; Z. 448.

37. Si . . . . alicujus. *P. C.* 391, 392; Z. 708.

38. Aliud . . . . aliud. *P. C.* 38; Z. 712, in fin.

39. Errare . . . . . nolle, ... nolle misereri. Where two members of a sentence are antithetical, Cicero often inverts the order of the words. So *Planc.* 30, 72: *nec considerate minus, nec minus amice.* Klotz, Soldan, and Madvig in this line also read *aliud est.*—*Tunc diceres.* Z. 528, *Note* 2. Benecke and Madvig: *Tum diceres.*

43. Abjiciet, as something worthless and contemptible. The common text gives *utetur.*

44. Extorquebit, wrest by violence, as being implanted by nature. See note on line 26 above.

79 Ch. VI.—**1. Ac** is a particle of transition = further, besides.—*Aditus,* sc. ad causam.—*Postulatio,* properly, is the request or demand made upon the prætor by a complainant, for the form of action and accusation which will lie against the party to be prosecuted. It is the first step in preparing a formal accusation. The next step was the *delatio nominis.* Cf. *ad Fam.* 8, 6, 1.

3. Admiratus sis. Z. 540.

4. Novi sceleris, (for which the common text gives *facinoris,*) alludes to the commencement of the oration: *Novum crimen,* &c., and *scelus* is purposely repeated here so often, to annoy Tubero.

5. Tu, with emphasis. Z. 379. For *vocas* Klotz gives *vocasti.*—

6. Alii errorem, &c. An ascending series: *errorem,* in the Pompeians, who acted conscientiously; *timorem,* in those who were really afraid of Cæsar's tyranny; *spem,* sc. of arriving at honors and command; *cupiditatem,* the feeling of party men who looked no farther

than their party; *odium*, groundless hatred of Cæsar; *pertinaciam*, downright obstinacy in the cause they had espoused; *temeritatem*, an inconsiderate eagerness for war. All these had some truth, the charge of wickedness none.

8. Pertinaciam, propter Alexandrinum bellum. *Ad Fam.* 15, 15: *Uterque nostrum spe pacis et odio civilis sanguinis abesse a belli necessarii pertinacia voluit.*

9. Ac mihi quidem. Cicero laid the blame, where it could well be borne, on fate. See *Marcell.* 5.

10. Fatalis quædam calamitas. In eandem sententiam Cæsar in or. ad senatum apud Dion. Cass. 43, 17: Ἐκλαθόμενοι μὲν πάντων τῶν συμβεβηκότων, ὡς καὶ ἀνάγκῃ τινὶ δαιμονίᾳ γεγονότων.

12. Ut nemo .... debeat. *P. C.* 62 and 81; Z. 531 and 738. —*Divina necessitate.* A periphrasis for *fato.*

13. Liceat esse miseros. Z. 529. *P. C.* 152; Z. 601. The sense is: Liceat per te, Tubero, in exsilio ac miseria Ligarium vivere, sed quum isto modo agis, non licet: aliquid enim ultra exsilii miseriam quæris.

15. Fuerint. Admit they were, &c. The subj. is concessive. Z. 529.

17. Parricidii. Significatur crimen læsæ majestatis rei publicæ. Cf. *in Catil.* 1, 7, 17; *de Off.* 3, 21, 83: *parricidium patriæ.—Liceat Cn. Pompeio ..... carere.* Which is the more frequent construction of *licet?* Z. 601.

19. Quid aliud .... nisi. Z. 735.—*Contumeliam,* sc. in recalling him from Gaul before his command was expired, requiring him to stand in person for the consulship, and instead of voting him a triumph, insisting on his giving an account of his administration. Cæs. *B. C.* 1, 9. Cf. *ad Att.* 9, 11; and Cæs. *B. G.* 8, 53.

20. Quid egit ..... nisi ut .... tueretur. Z. 614 and 748. *Ille* after *tuus* is omitted by Benecke, Klotz, Soldan, and Madvig.—*Suum jus,* sc. that of the army; but of the army as composed of citizens whose rights were involved in the treatment of Cæsar. For many of them had voted for admitting Cæsar's claim to stand for the consulship in his absence, but the law was neglected, and therefore their rights.

21. Quum pacem esse cupiebas. Cæsar's anxiety for peace is fully testified by Cicero, *ad Fam.* 16, 11; 6, 6; *ad Att.* 9, 8. Cf. Cæs. *B. C.* 1, 9 and 3, 90. *Quum .... cupiebas.* *P. C.* 488 (*c*); Z. 579.

22. An ut .... conveniret. The *ut* is omitted in some MSS., but in disjunctive clauses it is more commonly repeated. *Convenire* is construed either personally or impersonally. In the former case, the thing agreed upon is in the nominative, and the persons are expressed by the dative, and the ablative with *cum*, or by the accusative with

Page 79 *inter*, e. g. *quæ mihi tecum convenit*, and *quæ inter regem Pausaniamque convenerant*. The persons are often unexpressed, when they can be easily supplied; e. g. *conditiones non convenerunt*, and frequently *res, pax convenit*. When *convenire* is construed impersonally, the persons are expressed as in the personal construction, but the thing is put in the ablative with *de*, or introduced by a following clause, with *ut* or the relative. Here too the persons may be unexpressed, e. g. *quibuscum sibi de pace conveniret; mihi cum Deiotaro convenit, ut ille . . . esset*, and *quum de facto convenit*. Finally, *convenire de re* can also be used of persons who are agreed upon a thing, but then *cum* is not allowable. *Convenio cum aliquo* therefore is not Latin, but *convenimus* is correct, e. g. *quum de præda non convenirent*. Justin. 15, 4, 23.

26. Quum . . . . voluisses. *Quum* is substituted, from MSS., by recent editors, for the common reading *si*, which however Klotz retains. *Quum* is to be taken as *causal*, Z. 577; "since you would have wished," &c., and the conditional clause, *si me et multos Pompeianos ut sceleratos servasses*, is to be supplied in the mind.

27. Secessionem. A mild word for defection or revolt; taken from the early secessions of the Romans to Mons Sacer, Janiculum, &c., by adopting which he frees Cæsar from the charge of exciting a civil war.

29. Dissidium. This word Orelli here retains. The best MSS. give *discidium*. Madvig (*ad Fin.* p. 812, fg) rejects *dissidium* altogether, and denies that it is a Latin word. His reasons are, that its form is contrary to the usual formation; that, wherever it is found, the oldest and best MSS. give *discidium;* and that partly the thought and connection, partly the grammatical relation of the words, require *discidium* in the sense of *separatio, discessio*. He states the result at the conclusion of his investigation, as follows: Satis confirmatum esse opinor, nullum esse Latinum vocabulum *dissidium*, id autem, quod est, *discidium*, ita late patere, ut non solum ad eorum separationem, qui in diversa loca distrahantur, pertineat, sed ad omnes, quorum conjunctio, etiam animorum vinclo astricta, prorsus tollatur et in inimicitias convertatur. See Seyffert's *Lælius*, p. 152, fg.—*Utrisque cupientibus*. Aliter loquitur, quum oratorem agit, aliter cum amico. Cf. *ad Att.* 8, 11: *Dominatio, quæsita ab utroque est: non id actum, beata et honesta civitas ut esset;* 10, 4: *Utrique semper patriæ salus et dignitas posterior sua dominatione et domesticis commodis fuit*. On the plural of *uterque*, see Z. 141, *Note* 2.

30. Partim consiliis. Some through upright views.—*Partim studiis*. Others again through party feelings.

31. Pæne par. *Par* closes its clause with emphasis, and is repeated at the beginning of the next clause with equal emphasis. This figure is called *anadiplosis*.

32. Non par fortasse. Maxime quia inter Pompeianos permulti fuerant homines inconsulti ac temerarii. Cf. *ad Att.* 9, 11; 11, 6; 11, 9. Pompeianos autem, ut vult Manutius, h. l. Cæsarianis ante ponere non poterat orator. Orelli.—*Causa tum dubia.* He did not think so when writing to Atticus, 7, 3: *causam solum illa causa non habet; ceteris rebus abundat.*

33. Posset. Z. 558.

35. Quis non .... probet. Z. 530. The gods decided which cause was the better; but it is only the experience of your clemency that will gain to your victory a hearty approval.

36. In qua occiderit. Z. 556. Cf. *Deiot.* 12, 34; and Vell. Pat. 2, 52, 6.

CH. VII.—**37. Communem causam.** Of all the Pompeians.—*Veniamus.* It is not unusual to pass from the singular to the plural. And on the other hand the transition from the plural to the singular is not unfrequent.

38. Nostram. The cause of Ligarius. Having thus far refuted the general charges against the Pompeians, he now shows in particular the superiority of Ligarius's cause, because Tubero went to the province when its fidelity to the republic was doubtful; and sent by a senate the organ of a party. Not so Ligarius.—*Utrum* is the neuter of the adjective taken as the subject of *facilius esse*, and serving to introduce generally the question which follows. *Ligarium* and *vos*, therefore, which the MSS. give, are the true reading instead of *Ligario* and *vobis*. In this passage Orelli gives the punctuation proposed by Madvig, who also (*Opusc.* i. p. 159) advocates *veniam.* The common punctuation places a period after *ad nostram*, and this is the punctuation of Benecke, Klotz, Soldan, and even Madvig in his edition of the Orations.

40. Poteramusne, sc. in Africam non venire. Could we avoid going into Africa.—*Si me consulis.* The expression is borrowed from the lawyers, *qui proprie consuli dicuntur.* Cf. *in Cat.* 1, 5, 13. Cicero wishes always, as far as possible, to appear to be on the side of law and order, and therefore here, as also below, ch. 8, 23, he says, he always regarded it as his duty to recognise the will of the senate, thereby justifying his position in regard to Cæsar.

41. Nullo modo, sc. poteratis non venire.—*Senatus idem legaverat. Idem* qui Tuberonem in Africam miserat. Cf. *p. Leg. Man.* 19, 57.

42. Eo tempore paruit, quum .... necesse erat. Z. 579. This was before the civil war commenced, when the senate still directed the administration of affairs.

43. Tunc paruistis. *Tunc* = *tum-ce* stands emphatically for *eodem ipso tempore*, "just then," and is received by Benecke, Klotz, Soldan, and Madvig.

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79 **44. Qui noluit.** For any who did not choose to obey the senate found a refuge with Cæsar. Ernesti wished *qui nollet;* but the sentence is merely explanatory of *nemo,* and therefore the indicative is correct.

80 **1. Generi, nomini, &c.** As one of the Ælians and a Tubero, whose character and principles alike prompted you to obedience, you could not have done otherwise.

2. Quibus rebus gloriemini, sc. for having yielded obedience to the senate, the highest power in the state. The subj. by Z. 547.

3. Tuberonis, i. e. Lucius Tubero the father. The senate every year determined which should be consular and which prætorian provinces. The prætorian provinces, which were six in number after the reduction of the Spains, and sometimes the consular, which were only two, were distributed by lots, which were shaken in an urn, and drawn by a boy. Benecke and Soldan: *Tuberoni.*

5. Statuerat excusare, sc. morbum, i. e. morbum pro causa afferre, cur nollet. This is the usual explanation, but it is perhaps better to take it absolutely, that he meant to decline; whether for this or that reason is left undecided.

6. Omnes necessitudines, i. e. omnis generis. So *p. Sest.* 17, 39: *quocum mihi omnes erant amicitiæ necessitudines.*

7. Militiæ contubernales. Military *chums.* The centuries were divided into contubernia, consisting of ten soldiers, who quartered under one tent. Veget. *de re mil,* 2, 13. It was customary for young Romans of family to attach themselves to the commanding general for the purpose of learning the art of war under his eye, and this was called *alicui contubernalem esse,* or *in alicujus contubernio esse.* Cicero and Tubero were tent-mates in the Marsic war, under the consul Cn. Pompeius Strabo, A. U. C. 665.—*Post affines.* See note on p. 75, line 2.

8. Magnum vinculum. Quinctil. 1, 2, 20, arguing for a public education, says: *Mitto amicitias, quæ ad senectutem usque firmissimæ durant, religiosa quadam necessitudine imbutæ Neque enim est sanctius sacris iisdem quam studiis initiari.* Cf. *ad Fam.* 13, 29.

10. Voluisse. Wished and might; for the argument goes to show that he was free to act as he pleased.—*Quidam agebat.* There was one so active or urgent. *Agere* is often used as here absolutely, without an object. The direction of this activity is more nearly defined by the following clause: *ita .... opponebat.* By *quidam* some suppose reference is had to Pompey, others, to Cato. Sed de his mortuis tecte loqui vix quidquam attinebat. Ego interpretor de M. Marcello, quem significat tantummodo ne Cæsaris in eum odium refricet. Sic ex optimorum Codd. testimonio ejus nomen siletur etiam in § 37. Orelli.

13. Vel potius. Z. 336.

14. Paruit. Nam *cedere* voluntatis est, *parere* observantiæ.—*Quorum erat una causa.* Who agreed with him in political sentiments.

15. Jam occupatam, sc. by Varus. Cæs. *B. C.* 1, 31.

16. Nam, si crimen est ullum voluisse, &c. This passage is variously read and explained. Some give: *nam, si crimen est prohibere illum voluisse.* But most reject *prohibere,* which is found in only a few MSS. of an inferior class. Steinmetz, Klotz, and Soldan therefore with the most and best MSS. read: *si crimen est illum voluisse,* and this seems to be the preferable text. The meaning of the passage as given in our text is thus stated by Wernsdorf: Si velle (crimen committere) crimen est, vos non minus magnum crimen commisistis, qui Africam .... obtinere voluistis, quam alius quis (v. g. Ligarius), qui eam obtinere maluit. Madvig points *si crimen est ullum, voluisse:* Benecke, *si crimen est, ullum voluisse.* In the other reading, *illum* is to be referred to Ligarius, who has just been named, and *aliquem* to Varus, not to Ligarius, as is commonly done. What is said therefore in the protasis, of the general wish of Ligarius to commit some crime, is fitly applied to the opposite wishes of the two opposing parties as it were to get possession of Africa, which are compared in the apodosis. If Ligarius's simple wish to do something is considered a crime in itself, then no one else, who, like Varus, chose to get possession of Africa, rather than you, committed a greater crime than you, who wished, though with less vehemence, to get that province. For the question is not of the strength of the desire. If the wish of that one (Ligarius) is in itself a crime, then the circumstance, that you wished to hold Africa, that stronghold of all the provinces, by nature fitted to carry on war against this city, is just as great a crime, as if some one wished for himself still more strongly the same possession.

18. Arcem, &c. As possessing the greatest resources.—*Natam ad bellum .... gerendum.* As shown in the Punic wars.

20. Atque is tamen aliquis. And yet that "aliquis" was not Ligarius. Cf. *p. Deiot.* 13, 35: *id autem aliquid est.*

21. Imperium se habere dicebat. It was a usurped command. Cf. § 3: *Ille* (Varus) *imperium arripuit, si illud imperium esse potuit.*

22. Quoquo modo se illud habet. However that may be. Z. 521, *Note.* Al. *illud se habet.* The common text gives *sese.*

24. Tradituri fuistis. *P. C.* 447, in fin.; Z. 498. Benecke, Klotz, and Soldan: *fuissetis.* Z. 519, *a.* The argument assumes a disjunctive form: You must, if admitted into the province, have held it either for Cæsar or Pompey. If you say for Cæsar, even Cæsar will not approve of such treachery; and indeed the supposition is monstrous. You must then have held it for Pompey; and that this

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80 was your design your subsequent conduct proves. For as soon as you found yourself excluded, you withdrew to Pompey. Falsely boast then, if you will, that had you been allowed to land, you would have delivered Africa to Cæsar; for it only sets your treachery in a stronger light.

CH. VIII.—**28. Eum.** L. Tubero, the father.

29. Apud ipsum te = apud eum ipsum, cujus .... interfuit, id est apud te. *Ipse* precedes as being the leading notion, and the personal pronoun follows as explanatory.

31. Esset etiam probata. Quia non honestum fuisset, injussu senatus eam Cæsari tradere. Vel secundum proverbium: *Proditionem amo, proditorem odi.*

32. Non tam. Klotz and Soldan from MSS. read *non tam propter id, ne,* &c.

34. Veniebatis. You attempted to enter. Z. 500, *Note.*

35. Unam ex omnibus. *Unus* is joined with the partitive genitive only when it means *the one* in reference to *alter* or *alteri* (*alius*), &c. Otherwise in prose we find, for the most part, *unus ex* or *de.*—*Huic victoriæ.* Pharsalicæ. *Huic victoriæ* = victoriæ quæ nunc nobis grata est; or victoriæ, quam Cæsar, qui hic adest, consecutus est.

36. Rex potentissimus. Juba, son of Hiempsal, and king of Numidia according to some; of Mauritania, or both, according to others. The hostility of Africa was owing to its early connection with Pompey, who found in Juba one of his most zealous adherents.

37. Conventus firmi atque magni. Powerful and important districts or countries. Others, omitting the comma after *voluntas,* construe as genitives singular. But Cicero is enumerating the difficulties with which Cæsar had to contend in Africa. These are the unfriendliness of Juba, the hostility of the province, and the *conventus firmi atque magni,* which some understand of the Roman citizens there congregated for business.

38. Quid facturi fuistis. Z. 498.

39. Dubitem. *P. C.* 424; Z. 530. Benecke, Klotz, and Soldan read *non dubitem,* without the interrogation.—*Quum videam,* &c. Video enim vos Africa prohibitos in Græciam ad Pompeium ivisse.

40. Et prohibiti. Z. 717.—*Summa cum injuria.* Z. 472. He was not even allowed to land his sick son.

42. Nempe. Z. 278.—*Cujus auctoritatem secuti.* Latenter hoc significat: Auctoritas amplissimi viri, non causa vos ad belli societatem adduxit.

43. Quod si .... veniebatis .... venissetis. Observe the indicative in the conditional clause, and the subjunctive in the consequent clause. The indicative represents the action as real or as so conceived, here with reference to *veniebatis* above, line 34; the sub-

junctive of the pluperfect in the consequence states what should have taken place, but did not.

1. **Quæ est ergo.** Klotz and Soldan: *quæ est hæc ergo.*

2. **Accusetis.** So from MSS. for *accusatis.* The subjunctive states it as a simple thought or reflection, not as an actual fact.—*A quo queramini.* Z. 551, in fin.

3. **Prohibitos.** Benecke, Klotz, Soldan, and Madvig: *prohibitos esse vos,* &c.

4. **Vel.** Z. 734.—*Si vultis.* Benecke, Klotz, Soldan, and Madvig: *si velitis;* and, except Madvig: *gloriari per me licet.* Also in the next line, Benecke, Klotz, and Soldan read, *tradituros, etiam si a Varo et a. q. a. prohibiti essetis;* &c.

6. **A Varo et a quibusdam.** See note on p. 18, line 5.—*Prohibiti estis,* sc. provinciam Cæsari tradere.

7. **Confitebor.** Soldan reads *confiteor.*

8. **Privaverit.** Z. 564.

Ch. IX.—9. **Constantiam.** Continued irony to line 31

10. **Quamvis .... probarem.** Z. 574. Benecke, Klotz, and Soldan read *probarim.*

13. **Constantiam dico?** This is a formula of frequent occurrence in corrections. Cf. *p. Mil.* 28, 76.

14. **Nescio, an.** Z. 354 and 721.—*Quotus .... quisque.* No single English word corresponds to *quotus.* Such a form as *what-th,* like *fif-th, six-th,* would best suit it. It asks the questions in reference to ordinal numerals, as: *Occupying what place in the series?* Answer: *First, second, third,* &c. See Z. 710. Others: *quotus enim quisque istud,* &c.

15. **Fecisset, ut .... rediret.** Z. 619.—*A quibus .... ad eos ipsos.* Klotz and Soldan give *a quibus partibus .... ad eos ipsos,* making it an instance of the *constructio ad synesim.*

17. **Ejus viri.** Madvig: *ejus viri est.*

19. **Possit.** Z. 556.

20. **Ut ... fuissent.** Z. 573.—*Honos.* Does Cicero use *honor*? Z. 59*.

21. **Nobilitas.** For the Ælia gens was most noble, deriving its origin from the kings of the Laestrygones. See Horat. *Carm.* 3, 17; Juven. 4, 154; 6, 385. It had also formed alliances with the Scipios. The Atia gens was rather obscure, until ennobled by Augustus Cæsar, the son of Atia, the daughter of M. Atius Balbus.

22. **Justo.** Regular, i. e. appointed by the senate, not as Varus's, *clamore multitudinis imperitæ.*

26. **Secutus esset.** Benecke reads *secutus erat,* referring to Z. 547, *Note.* So also Klotz, Soldan, and Madvig.—*In Macedoniam,* &c. The adversative conjunctions in Latin are omitted, when an affirmative clause is opposed to a preceding negative one. When the

Page 81 predicate is common to both clauses, as it usually is, it must be repeated in the second clause. Z. 781.

27. Cum injuria. Benecke and Soldan reject the preposition. Z. 472. Without the preposition, the cause or ground of the action is given; with the preposition, a new circumstance is added. To express therefore that the wrong consists in the rejection, the preposition should be omitted. *Cum injuria* implies that to the rejection another wrong is added. Cf. *cum crudelitate rejectus*, § 26; and *prohibiti summa cum injuria*, § 24.

28. Quum ista res, &c. Quum Pompeius ista injuria vobis illata vestrisque querelis commotus non esset, ut signum daret alienatæ a Ligario voluntatis.

29. Credo. Z. 777.

30. In præsidiis eratis. You, as the senators, magistrates, and men of rank, who followed Pompey into Greece for whatever reason, were in the camp, without however making part of his fighting army.—*Animi.* Referring to both the Tuberos. Z. 92.

31. An, ut fit, &c. The general purport of this passage appears to be to press the zeal which Tubero showed for victory, and, supplying the ellipsis, the sense may be thus given: Or, was not that, which is usually the case in civil wars, with you still more the case than with the rest? viz. that you ardently desired to conquer. The * * * indicate a lacuna. Exciderunt, quæ proprie de Tuberonum studio dicta erant. Madvig.

33. Pacis equidem semper auctor fui. Cf. *Deiot.* 10, 29; *Att.* 7, 14; 9, 11; *Marc.* 5, 14; *Phil.* 2, 10, 24; *ad Fam.* 6, 6.—*Sed tum sero*, sc. after his return from Cilicia. *Ad Fam.* 4, 1.

34. Pacem cogitare. Matthiæ distinguishes between *pacem* and *de pace cogitare*. The accusative denotes the thing which one wishes to effect; the preposition with the ablative only the subject of the reflection.

36. Qui .... venisses. Z. 564. Benecke, Klotz, Soldan, and Madvig: *veneràs.*—*Esset pereundum, nisi vicisses.* Z. 519, *a.*

37. Se res habet, and *res se habet*, are both found in Cicero. Zumpt, *Verr.* 5, 34, 89, thinks the latter the regular order; Madvig, *de Fin.* p. 57, thinks the former is more frequent.

38. Hanc salutem, a Cæsare victore acceptam.—*Illi victoriæ*, de cujus crudelitate timebamus.

Ch. X.—**40. Beneficii sui.** Erga vos quorum constantiam (in Pompeiana causa) non ignorabat. Auget Cæsaris clementiam, et simul Tuberones carpit, quum eos non pœnitere constantiæ suæ dicit.

41. Vestras injurias. Z. 424.—*Rei publicæ.* Ejus, quæ nunc est, et Cæsaris consilio ac sapientia gubernatur.

43. Qui .... putetis. In supposing. Z. 555.

1. Itaque num, &c. He throws himself and his suit on the mercy of Cæsar; and begs to disabuse him if he imagined he was pleading the cause of Ligarius. It was altogether an appeal to his humanity, &c.

2. Ad unam summam .... vel humanitatis, &c. All that he has said he wishes to reduce to a single head or point, and that is Cæsar's humanity. The genitive (*genitivus epexegeticus*) may be referred to Z. 425.

4. Causas, &c. Cæsar was also a distinguished orator, and according to Quinctil. 10, 1, 114, the only man fit to be a rival of Cicero: since (in his pithy expression) *eodem animo dixit, quo bellavit.* See Cic. *Brut.* 72–75.

5. Dum te in foro, &c. A. U. C. 677, at the age of twenty-three, Cæsar accused Cn. Dolabella of extortion in his province of Macedonia, and continued his pleading till nearly forty. This is what he calls *ratio honorum,* the course of your honors. He was prætor, A. U. C. 692, at the age of thirty-eight.

6. Ignoscite, judices. Hæc esset deprecatio; quam locum habere in senatu et apud populum et apud principem et ubicunque juris clementia est, disputat, Quinctil. 7, 4, 18.—*Erravit,* judicio.—*Lapsus est,* facto.—*Non putavit,* i. e. non reputavit secum. The same as *temere fecit* below.

7. Si unquam posthac, sc. tale quid commiserit. Aposiopesis. Z. 758 and 823.

9. Dic te .... judicem esse. He bids Cæsar to imagine himself a judge of Ligarius, and to put to him, as counsel, the usual questions. In such a case, he professes that he would have nothing to say in defence, but by the figure *antiphrasis* (i. e. quum quædam negamus nos dicere, et tamen dicimus), he concisely sums up, without the appearance of having designed it, the substance of what he has previously urged in defence.

11. Collige. The technical term for collecting proofs for a trial. —*Valerent.* The conditional member is frequently left to be supplied from the context.

13. Non acerbus, † totus. The † indicates that the text is doubtful. Madvig reads, *jam est totus;* Klotz and Soldan, *non acerbus fuit, tametsi totus.* During the war even he was not a bitter enemy, on the contrary rather, he was wholly yours in heart and affection. *Tametsi* is thus used to correct a former expression. Hand, *Turs.* ii. pp. 604–606.

14. Ad parentem. Benecke, Klotz, Soldan, and Madvig read *apud.*

16. Ignoscas. Soldan and Madvig read *ignoscatur.*

18. An sperandi. Quinctil. 5, 10, 93, calls this *comparatio ex difficiliore;* for it was obviously more difficult for Cicero, who was al-

Page 82 ready indebted to Cæsar for his own, to urge the pardon of another, than for that other to hope for a pardon. But this being done, Cæsar would hardly forfeit the glory of his clemency, gained in pardoning the one, by refusing the same pardon to the other.

21. Tui necessarii. We might expect *tuorum necessariorum*, but the construction is conformed to the relative *qui*, instead of to the antecedent *eorum.*

CH. XI.—**24. Gratiosiores.** Of more influence with you.—*Vultus.* What case? Z. 603, (*b*). Soldan with Steinmetz here contends for *preces*, as below. *Vultus* dixit pro *preces* quia, qui precantur, sollicitudinem, demissionem animi, mœrorem vultu præ se ferre solent.

25. Sed quam illius. Klotz reads *sed quæ illius causa, pro quo*, &c.

26. Itaque, &c. Accordingly, you do not, to be sure, deny your own friends any favor, as the preceding remark (neque te spectare, quam *tuus* esset necessarius) might lead a person to suppose. So far from that, you are above measure liberal to them; still I see (sed video tamen) that the causes, &c.



27. Beatiores. *Beatus* qui multa bona possidet. Cicero does not mean that they were happier than Cæsar, but as we say, "better off," "wealthier." Cæsar was so generous that he left himself in a worse situation than the recipients of his bounty. This accords with the account of Sallust, *Cat.* 54: *nihil denegare quod dono dignum esset.*

28. Fruantur. Benecke, Klotz, Soldan, and Madvig: *fruuntur.*

31. In Q. Ligario conservando. Si Ligarium conservaveris. And this introduces the case of Ligarius. He here reasons syllogistically. Thus the major (*Vidi enim, &c.*) is shortly: Just grounds (*causas*) for interference in the suppliants usually avail with Cæsar. The friends of Ligarius have the justest grounds (minor). Therefore, &c. In establishing the minor he is able to enumerate all the friends of Ligarius who are interested in his fate. And this he proceeds to do.

32. Tu quidem .... sed. Z. 278, 744, 801. See note on p. 22, line 2.

33. Hoc. Causas rogantium.

34. Sabinos. Ligarius was of Sabine origin, and it was usual for the whole people of a district to appear at Rome in defence of a patron or countryman. So the Campanians appeared in favor of Cicero, on his return from banishment.—*Tibi probatissimos.* They had afforded Cæsar an asylum during the proscription of Sulla, and he may have tried and proved their valor in his legions.

36. Nosti optime homines. Benecke, Klotz, Soldan, and Madvig from MSS. read *optimos.*

37. T. Brocchi .... lacrimas squaloremque. Brocchus was the uncle of Ligarius. *Squalor*, the garb of mourning, is often joined

with *sordes*, and describes the neglected appearance of those who were in affliction and distress.

41. Quodvis. Benecke, Klotz, Soldan, and Madvig: *Nam quodvis.*

43. Si fraterne, si pie, si cum dolore. Notice the anaphŏra, by which, in the first member of this sentence, the conjunction, and in the second member, the predicate is repeated. It is often the case, in animated discourse, that a word which is common to the connected members of a sentence is repeated, by which the place of the copulative conjunction is taken, and a kind of asyndeton is formed. Besides, in this sentence the chiastic arrangement of *fraterne, pie, cum dolore*, and *lacrimæ, pietas, germanitas*, should be noticed.

3. Essent. *P. C.* 460 (*b*); Z. 545.

4. Hunc splendorem. This is the proper epithet of the equestrian order, as, majesty of the people, and authority of the senate. Benecke and Madvig retain the reading, *omnem hanc Brocchorum domum.*

5. L. Corfidium. By a *lapsus memoriæ* Corfidius was here mentioned, though previously dead. Cicero requests Atticus (13, 44) to be careful to have the name erased from all the copies; which, however, was not effected.

6. Veste mutata. Sordidate. No less than twenty thousand knights changed their garb in the case of Cicero.

7. Tecum fuerunt. This did not require them to be actually in Cæsar's camp. It was enough that they did not join Pompey. Benecke, Klotz, Soldan, and Madvig: *viros, qui tecum fuerunt.*

8. Requirebamus. Missed, felt annoyed at the absence of. Therefore their deserts towards you are enhanced by their being the objects of the hatred and threats of the Pompeians.

9. Minabantur. Benecke and Klotz: *minabamur.* By *nonnulli* we may suppose Pompey, Lentulus, Scipio, and Fannius are intended, not Cicero who strongly censures those who threatened the neutral. Therefore *Minabantur* is preferable.—*Tuis suos.* To those, who by their neutrality are proved to be your friends, preserve their own.

10. Hoc. Your considering all these your friends who did not appear against you.

Ch. XII.—**13. Tecum .... fuisse**, i. e. domi remansisse.

15. Fuisset futurus. The common text is *futurus fuerit*, and so Madvig. Soldan: *fuerit futurus.* If conditional sentences, which are expressed by the subjunctive of the imperfect or pluperfect, are made to depend upon a tense of the present, in the leading sentence, they are not subjected to the *consecutio temporum*, but remain unchanged. In the periphrastic conjugation, however, the subjunctive of the perfect takes the place of the subj. of the pluperfect, after a

Page 83 tense of the present in the leading sentence, although the conditional member stands in the subj. of an historical tense. This arises from the use of the indicative of the perfect for the pluperfect subjunctive. Compare Z. 519, *a*, and 498, in fin. Both *fuisset* and *fuerit* appear to be correct, though the latter is more frequent, while the Erf. and other MSS. here defend *fuisset*.

16. Consensum conspirantem et pæne conflatam. Concordant, and, as it were, moulded into one.

17. Noverit. Z. 561. Why the perfect tense? Z. 221.

20. Tempestate abreptus. *Tres Notus abreptas in saxa latentia torquet.* Virg. *Æn.* 1, 108.

22. Sed ierit. But take it in the worst point of view, admit that he did go to the war, &c.

23. Discesserit. Benecke, Klotz, Soldan, Madvig, and others read *dissenserit*.

25. Qualis ..... T. Ligarius ..... fuerit. He paid Cæsar, A. U. C. 698, a sum of money, voted to him out of the public treasury, to support his army in Gaul. This payment Cicero strenuously supported. *De Prov. cons.* 11, 28; *p. Balb.* 27, 61. *Tum* is rejected by Benecke, Klotz, Soldan, and Madvig.

26. Quæstor urbanus. Hi ærarium curabant, ejusque pecunias expensas et acceptas in publicas tabulas referebant. *Ascon.* Quæstores enim urbani tantæ fuerunt auctoritatis, ut imperatores redeuntes ab expeditione non prius triumphum adipiscerentur, quam apud ipsos jurarent vere scriptum fuisse ad senatum de hostium occisorum et civium amissorum numero. Neque vero hac in re modo T. Ligarius Cæsari absenti gratum facere potuit, sed etiam in pecunia eroganda, quum quotiescunque eam solvere senatus debebat, quæstores essent adeundi.

27. Spero te .... recordari. The infinitive of the present or perfect follows *spero* if the time actually falls in the present or the past. *P. C.* 15; Z. 605.—*Oblivisci.* Z. 439.

30. De aliis quibusdam quæstoribus. Wunder and Klotz understand these words of quæstors who had shown themselves unfriendly to Cæsar, in contrast with the friendliness of T. Ligarius. But Benecke and Soldan give this sense to the passage: "even if you recall to mind the services of certain other quæstors, perhaps greater than those of Ligarius, you will still bear in mind something of the service which Ligarius rendered." Klotz also retains *cogitantem* after *quæstorio officio*.

31. Nihil egit. Had no object in view, was quite disinterested.

32. Eum tui studiosum. Klotz and Soldan omit *tui*. Benecko and Madvig read *tui eum studiosum*. On *eum* for *se*, see Z. 550.

35. Dederis .... condonaveris. Z. 511.

37. Necessariis. After this word the common text gives *suis;* Benecke, Klotz, and Soldan, *tuis.*—*Condonaveris.* Z. 511.

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38. De homine nobilissimo. M. Marcellus. See the preceding oration. Observe that *nuper in curia* and *nunc .... in foro* with reference to each other are *anaphorical*, but with reference to the prepositional expressions, *chiastic.* Klotz gives *M. Marcello* after *clarissimo.* See, however, note on p. 80, line 10

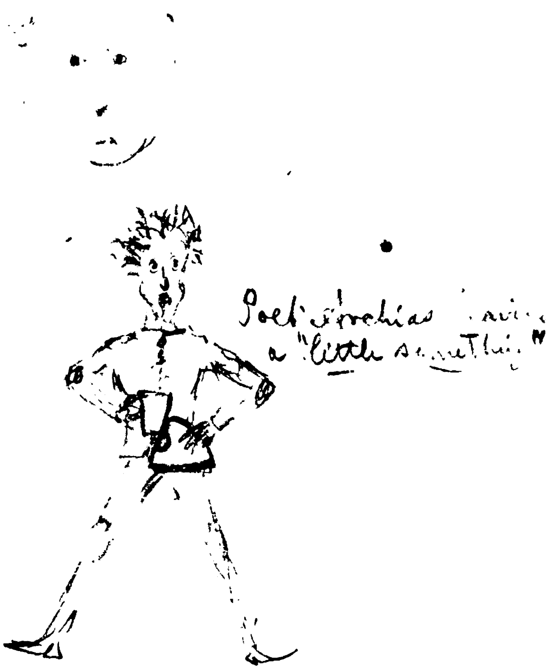
40. Concessisti. Granted to the prayers of. Above, *condonare* has a similar sense, viz. to pardon for their sake, at their request, and to gain their favor.

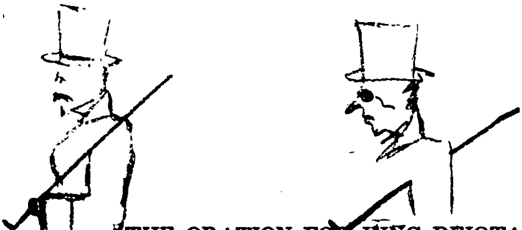
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2. Homines enim. This sentiment is elsewhere met with. Cf. *p. Marcell.* § 8; *De Rep.* 1, 7.

5. Quam ut possis .... quam ut velis. Poterat etiam dicere *quam quod potes, quam quod vis.* Sed significare maluit, ut posset et vellet, fortuna Cæsaris et natura effectum esse.

6. Forsitan. Z. 728.





THE ORATION FOR KING DEIOTARUS.

INTRODUCTION.

Deiotarus was a noble tetrarch of Gallogræcia or Galatia, who in the several wars in which the Romans had been engaged in Asia, Pontus, Cappadocia, Cilicia, and Syria, had often afforded powerful aid to their generals, and proved himself a zealous and faithful ally. Through Pompey, after the close of the Mithridatic war, he was, for his services, honored by the senate with the title of king, and had Gadilonitis and Armenia Minor added to his dominions. He succeeded, indeed, doubtless by Roman favor, in encroaching on the rights of the other tetrarchs of Galatia, and obtaining nearly the whole of it for himself.

In the civil war, Deiotarus attached himself to the cause of Pompey, his benefactor, in the same ship with whom he effected his escape after the battle of Pharsalia. After the defeat of Pompey, he sought in every way to regain the favor of Cæsar, relying upon the friendly relations which had previously existed between them. Accordingly, while Cæsar was employed in Egypt, Deiotarus offered to Cn. Domitius Calvinus, Cæsar's legate in Asia, his services and money, and in his turn, A. U. C. 707, applied to Domitius for aid against Pharnaces, the son of Mithridates, who had taken possession of his kingdom of Armenia Minor, and of Cappadocia, the kingdom of Ariobarzanes, and was plundering them. In the campaign which followed, Pharnaces defeated the combined Roman and Galatian forces near Nicopolis, and almost entirely destroyed the army of Deiotarus. When Cæsar, in the same year, came into Asia from Egypt, Deiotarus, divested of his royal robes, waited on him in the garb of a suppliant, and in consideration of his former services, his age, dignity, and the prayers of his friends, received a pardon, and was permitted to resume the ensigns of regal dignity. About certain claims, however, which the neighboring tetrarchs made on Gallogræcia, Cæsar decided nothing; but taking with him all Deiotarus's cavalry, and a legion trained in the Roman discipline, he proceeded against Pharnaces, whose speedy defeat is recorded in the memorable words, "Veni, vidi, vici."

Cæsar, after this victory, proceeding to Asia, by the route of Gallogræcia and Bithynia, became the guest of Deiotarus. He took from him, however, the tetrarchy of the Trocmi and gave it to Mithridates of Pergamus, whom he had made king of the Bosporus. The kingdom of Armenia Minor also, which Pharnaces had wrested from Deiotarus, Cæsar did not restore to Deiotarus, but bestowed it on Ariobarzanes, king of Cappadocia. Thus Deiotarus was left with almost nothing more than his original tetrarchy. We learn from Cicero (*ad Att.* 14, 1), that in the autumn of the same year, the cause of Deiotarus was unsuccessfully pleaded by Brutus before Cæsar at Nicæa in Bithynia; but that Brutus interceded for Deiotarus in this matter is highly improbable, and in what other relation he defended Deiotarus is equally uncertain. When Cæsar returned from Spain, A. U. C. 709, Castor the grandson of Deiotarus, by a daughter who was married to Saocondarius, accused his grandfather of a

design to murder Cæsar, when he was his guest in Gallogræcia, and also of an intention of sending troops to the aid of Cæcilius Bassus. Deiotarus sent an embassy to Rome to look after his interests, and with them his slave Phidippus, who was at the same time his physician. But he, while in Rome, was corrupted by Castor, and appeared against his master. This embassy waited on Cicero, who readily undertook the cause of his old friend, and in November of this year, before Cæsar in his own house, defended him in the following speech. Of Cicero's success we are not informed; but from *Phil.* 2, 37, 94, it would appear that while Cæsar lived, Deiotarus's circumstances did not improve. After the murder of Cæsar, Hieras appears to have obtained from Antony, through Fulvia, the restitution of his master's dominions for 10,000,000 sesterces. Deiotarus, however, had seized by force on the territory in question, as soon as he heard of Cæsar's death, and took revenge upon his son-in-law and daughter. He subsequently joined the party of Brutus and Cassius, and having attained an advanced age, was succeeded by Deiotarus II., his only surviving son, all the rest of his children having been put to death by him, according to Plutarch, in order that his kingdom, in the hands of his successor, might not be shorn of its power.



ANALYSIS.

I. In the introduction the orator speaks of his embarrassment and confusion, which he generally feels in important cases, and which is increased still more by the circumstance, (1) that he has to defend a king, and a king who has done great service to the Roman people. Besides, (2) he is agitated by the cruelty and unworthiness of the two accusers (§ 1–3), and even (3) the unusual constitution of the court, since the offended Cæsar is at the same time judge; as likewise (4) the place in which he must speak, a room in Cæsar's palace, instead of the public forum, add to his embarrassment. (§ 4–7.)

II. Before replying to the charge and refuting it, he speaks of the hope of the accusers, on which they relied, in the belief that Cæsar had not sincerely pardoned Deiotarus, an opinion which is alike inconsistent with the noble sentiments of Cæsar and with his previous expressions respecting the king. (§ 7, 8.) By this he prepares the way for the mention of what Deiotarus had done (1) for Pompey, (2) for Cæsar, and (3) how Cæsar had received his endeavors. (§ 9–15.)

III. The simple statement is a refutation of the charge: for (1) so inconsiderate an act is at variance with the well-known prudence and character of the king (§ 15, 16); (2) the whole accusation is a clumsy invention, and every thing which has been brought forward to prove it, is utterly improbable and absurd (§ 17–22); (3) the king had no wish to levy an army against Cæsar, as the accusers maintained (§ 23, 24); (4) Deiotarus did not cherish hostile feelings against Cæsar (§ 24–27); but (5) it was Castor rather, who was so disposed (§ 28, 29), who, ungrateful and treacherous (§ 30–32), had impudently fabricated a story, that Blesamius had by letter communicated to the king, his master, something prejudicial to Cæsar. (§ 33, 34.)

IV. The conclusion mentions the gratitude of the king, and his contentment with Cæsar's treatment (§ 35–39); and seeks to enlist the sympathy and favor of Cæsar in behalf of the two kings, the father and son.

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CH. I.—**1. Quum .... tum.** Not only .... but also; the second being the more important notion. The first is often a general term, the second a more special determination of it; the first the more *common*, the second the more *rare*, &c. When *quum* stands in a complete clause, it takes either the *subjunctive* or the *indicative*. When it takes the indicative, both the statements are made as direct assertions. When it takes the subjunctive, a general proposition is assumed as true, and a particular instance, or further development of it is asserted in the sentence with *tum*. In English we should either use "*though*," or no conjunction. "Though I am usually more agitated, when I begin to speak, &c., yet, &c.;" or, "I, when I begin to speak, am wont to be more agitated, &c., but, &c."—*Causis gravioribus.* Cicero explains the use of the adjective here, when he says below, *dico pro capite*. *Caput* signifies both natural and civil life—the sum of civil rights and privileges.

2. Commoveri. Compare *Divin. in Cæcil.* 13 in; *p. Cluent.* 18, 51. The cause of the agitation Cicero himself gives in the person of L. Crassus, *De Orat.* 1, 26.—*Videatur.* So also Frotscher. Benecke, Klotz, Soldan, and Madvig give *videtur*.

3. Ætas mea. Cicero was now in his 62d year, and his experience at the bar had been long and ample to give him confidence.

4. Fides. Deiotarus was his friend, his *hospes*, as we learn in § 39, and Cicero was bound by a sense of duty to defend him.

6. Primum. Cicero adduces four causes to account for his fears. 1. His client being a king; 2. The cruelty of one accuser (the grandson), and meanness of the other (a slave); 3. The fact of the virtual plaintiff, Cæsar, being also judge; 4. The place where the trial was held, sc. the house of Cæsar.

7. Regis, emphatic, instead of *ejus*, *illius*, for the kingly dignity was sacred and inviolable. See *p. l. Man.* § 24.

8. Dumtaxat = dum taxat, "whilst one estimates it;" "being accurately estimated;" hence (1) "not more than," "only;" (2) "not less than," "at least." Z. 274.—*Periculo.* Because in Cæsar's peril, the whole state was in danger.—*Reum capitis esse.* *P. C.* 188.

10. Quem ornare. Cf. *ad Fam.* 15, 4; *Phil.* 11, 13.—*Solebamus.* So Benecke, Klotz, Soldan, and Frotscher, who considers the plural more complimentary to Deiotarus. The meaning is: omnes nos Romani cum senatu in eo ornando celebrandoque consentiebamus; and those generals particularly whom Deiotarus had aided in their wars, Sulla, Murena, Lucullus, Pompey, and others are had in mind. Orelli compares *de Rep.* 1, 6, 10: *Quasi vero major cuiquam necessitas accidere possit, quam accidit n o b i s! in qua quid facere p o t u i s s e m, nisi tum consul f u i s s e m?* Madvig, however, retains and defends *solebam*.

12. Atrocissimum crimen. Of having attempted Cæsar's life.

See note on p. 71, line 27.—*Accedit, ut.* When the sentence is conditional, *accedit* is always followed by *ut.* Without a condition we sometimes find *accedit ut*, but more commonly *accedit quod.* With *quod* an added circumstance is presupposed as real; with *ut* it is conceived as just developing itself = præterea fit, ut. See Z. 621, 622.

13. Alterius crudelitate. Because his grandson Castor was the accuser of his grandfather.—*Alterius indignitate.* Because his slave Phidippus had appeared against his master.

14. Crudelis Castor. So also Benecke, Klotz, Steinmotz, and Soldan. Madvig and Schneider defend *Crudelem Castorem*, on the ground that *ne dicam* requires the same case of the substantive or adjective before as after it. Cf. *p. Mil.* § 33: *vivo Milone, ne dicam consule.* Hunc accusativum o sequentibus ortum esse arbitror: atque omnino initio orationis exclamatio minus apposita videtur. Orelli.

15. Nepos. The son of his daughter, who had married Saocondarius.—*Adduxerit.* The subjunctive expresses not merely some additional characteristic, but the conception and feeling of the speaker. Z. 554.—*Adolescentiæque suæ terrorem* = terrorem a sua adolescentia s. a se adolescente, profectum. For young men at Rome found it a ready way of gaining commendation, to accuse the magistrates, to whom, therefore, they were in some sort a terror. *De Off.* 2. 14. Benecke omits *ei* after *intulerit*, referring to Z. 765.

17. Debebat. On the indicative, see Z. 518.

18. Servum. Phidippum medicum. In Rome physicians belonged to the servile condition.

19. A legatorum pedibus. In company with whom he had come to defend his master. Servants are said to be *ad* or *circum pedes domini*, i. e. *pedissequi.* *Verr.* 1, 36, 92: *habebat circum pedes homines formosos et litteratos.*

20. Fugitivi. This is said contemptuously of Phidippus, since when sent with the other ambassadors to defend Deiotarus, he had abandoned his cause. His object, in speaking so contemptuously of his servile condition, is to make the accusation of Deiotarus appear still more unworthy, and to lower and weaken in the minds of the Romans the regard in which Phidippus stood in his own country. On the repetition of *dominum*, compare *ad Att.* 5, 2, 1: *quum Hortensius veniret et infirmus et tam longe et Hortensius; p. Sest.* § 54: *gener, et Piso gener.*

22. Os, quo impudentiam præ se ferebat.—*Quum verba audiebam.* These words are omitted by Benecke and Soldan as a gloss on *quum os videbam.* But Madvig very justly remarks, quam apte utriusque sensus offensio commemoretur quamque numerose membra orationis cadant, nemo non videt.

23. De fortunis communibus. For who can be safe, if slaves are permitted to turn informers?

Page 85 **25. De servo in dominum.** The regular construction should be noticed, *de servis quærere in dominum*, i. e. e servis quæstione s. tormentis extorquere, quod contra dom. valere possit. Not even is the involuntary (*tormentis*) evidence of a slave allowed against his master, much less the voluntary accusation (*accuset solutus*).

86 **2. Exortus est servus.** Intimating the impudence of Phidippus —here starts up a slave.

3. Accuset. Compare note on p. 44, line 22. Ernesti altered it to *accusaret*. But *exortus est* brings the action down to the present time, and is but a rhetorical amplification of the simple *est*. Z. 512, *Note.*

CH. II.—**4. Illud,** Referring to what follows. This circumstance, sc. your being judge in your case. The *third* cause of his fear. Matthiæ remarks that *quod dicere .... grave est* ought to follow, instead of which Cicero commences with the causal particle *nam*.

5. Quum = now that, since.

8. Arguare. Z. 166. The second person of an indefinite subject is common.

10. Æquiorem = more favorable, kind.

11. Non enim. Z. 808.

12. Quid .... judicare. Namely, that you are a friend of justice and humanity. By this praise of Cæsar he hinted what Cæsar ought to be; particularly that it was foreign to his clemency to condemn in his own cause. Cæsar's anxiety to be thought mild and forgiving is noticed by Suetonius, c. 75.

13. Loci .... insolentia. The *fourth* cause. Cicero's *usual* theatre was the forum; here, the house of Cæsar, where there was no surrounding band (*conventum*) by which the orator is inspired to emulation. Compare *p. Mil.* 1, and the story of the declaimer Porcius Latro given in Quinctil. 10, 5, and Senec. *Controv.* 4: *Præf. Declamatoriæ virtutis Latronem Porcium unicum exemplum quum pro reo in Hispania Rustico Porcio propinquo suo diceret, usque eo esse confusum, ut a solœcismo inciperet, nec ante potuisse confirmari tectum ac parietes desiderantem, quam impetravit, ut judicium ex foro in basilicam transferretur. Usque eo ingenia scholasticis exercitationibus delicate nutriuntur, ut clamorem, silentium, risum, cœlum denique pati nesciant.*

14. In disceptatione versata est. Came on trial.

16. In qua oratorum studia niti solent. Z. 466

17. Acquiesco. Not so strong as *gaudeo, delector*, but = tuos oculos, indices benevolentiæ tuæ, quum intueor, timere desino. Z. 416.

19. Quæ. These things; referring to what has been mentioned in the preceding clauses.—*Obtinendæ veritatis. Veritatem obtinere* = to make good, establish, or by defending set forth the truth so that all shall see it. Cicero had what was most important in establishing

the truth; though it was of little weight in rousing the eloquence and ardor of the speaker.

21. Hanc, &c. Benecke, Klotz, and Soldan: *Hanc enim causam, C. Cæsar, si,* &c.

24. Cujus omnem ætatem in populi Romani bellis consumptam. The first expedition of the Romans in Asia, occurring in the time of Deiotarus, was that of Sulla, A. U. C. 662, to restore Ariobarzanes to his kingdom of Cappadocia. He had assisted the Romans in the first Mithridatic war, in the time of Sulla, A. U. C. 667. It was now 709. Soldan rejects *ei* before *regi.*

26. Curiam. Because it was contiguous to the forum where the cause should be pleaded in the open air.

27. Deorum . . . populi Romani . . . . senatus. These answer to *cœlum . . . . forum . . . . curiam,* and, as usual, are in the reverse order. See *p. Lig.* 11, 33: *Si fraterne,* &c., with the note on the passage. Observe also the repetition of the *et* with each of the substantives, in reference to *cœlum, forum* and *curiam.*

30. Maximæ causæ, i. e. longe gravissimæ, *quanta,* inquit, § 5, *nulla unquam in disceptatione versata est.—Debilitatur loco.* Cf. Tac. *Dial.* 39.

31. Qui pro multis sæpe dixisti. Compare *p. Lig.* 10, 30. *Pro multis sæpe* = pro multis pro alio alio tempore.

32. Ad te ipsum referre. *Referre ad aliquam rem* is properly to refer to something as a standard or measure. You, Cæsar, should judge my present feelings by your own; you should put yourself in my place, and give me the indulgence which you would then require —*Quo facilius.* Z. 536.

34. Antequam . . . . dico. Z. 576. He wishes to remove any latent hatred which Cæsar might cherish against Deiotarus, as a Pompeian, before he proceeds to the charge itself.

35. Accusatorum. Castor and Phidippus.—*Quum* = etsi. Z. 577.—*Nec ingenio.* It is contrary to Cicero's usual practice to lower the character of his opponents; but here he does so to show their audacity in impeaching a king, and that they must rely for success on Cæsar's well-known prejudices against Deiotarus.

37. Non sine aliqua spe. Z. 709. Comp. *p. Mil.* 1, 2.

CH. III.—**39. Affectum,** &c. Cæsar had deprived him of the tetrarchy of the Trocmi, and also of Armenia Minor, which he owed to Pompey. *De Div.* 2, 37. Benecke, Klotz, and Soldan read *afflictum;* but Orelli and Madvig prefer *affectum,* as better suited to the softened expressions *incommodis et detrimentis.* Instead of the mild language here chosen, compare the harsh words used by Cic. *Phil.* 2, 37, 94: *Quis enim cuiquam inimicior, quam Deiotaro Cæsar?* &c.—*Propter offensionem animi tui.* Owing to your displeasure.

Page 86 **40. [Teque .... cognoverant.]** These words are bracketed by Orelli, after Madvig, on account of the perversity of the sentiment. *Esse* before *cognoverant* is omitted in the common text, as is often the case after the *verba sentiendi;* but when a lasting state is to be denoted, it should be expressed.

41. Apud ipsum te = apud ipsum, de cujus periculo dicerent, id est, apud te. See note on p. 80, line 29.

42. Fore putabant, ut .... insideret. Z. 594.—*Exulcerato,* figuratively from festering wounds. Therefore *insideret*, of a deeply-seated and fixed grudge. As Cæsar would be called upon to negative this supposition, so it is a tacit exhortation to justice.

44. Per clementiam. Benecke, Klotz, and Madvig omit the preposition here.

87 **3. Hospes hospiti.** Z. 798. The allusion is to the time when, in returning from his march against Pharnaces, after the Alexandrian war, Cæsar partook of the hospitality of Deiotarus.

4. Non tam in bellis, &c. Matthiæ here supposes a blending of two constructions, one of which would give *non tam in bellis, quam in promissis firmam;* the other, *non in bellis, quam in promissis firmiorem.* Benecke rejects this explanation, and holds that *tam* does not correspond to the following *quam,* which refers rather to the comparative *firmiorem,* but is closely connected with the *non,* nearly in the sense of *non admodum.* Schneider (*Jahrb.* 52r. B. 1848, p. 280) prefers the view of Benecke, and compares Liv. 28, 39, 12: *Quod nobis non tam fructu jucundius est quam ultione,* where *tam* as in our passage is found in all MSS. On the twofold application of *manus,* compare *ad Fam.* 7, 5, 3: *totum denique hominem tibi ita trado de manu, ut aiunt, in manum tuam istam et victoria et fide præstantem.*

6. Dii penates. The tutelary gods of his family.

7. Deiotari regis. On the order of the words, see Z. 796. Which is the usual order?—*Aræ focique.* See note on p. 46, line 24.

8. Facile [exorari]. Not only easily induced to forgive, but to forgive heartily (*semel,* once for all; cf. § 39). Klotz, Benecke, Süpfle, and Soldan read *facile orari* from the best MSS., and explain it: Cæsar on the one hand does not close his ears to entreaty, and on the other allows himself, once for all, to be prevailed upon.

9. Placavit .... senserit. After *qui non* or *quin,* when a negative or equivalent interrogative precedes, it is the usage of Cicero to place the subjunctive in the same tense which has gone before, because the action follows immediately, and is included in the same time as the preceding. Compare note on p. 55, line 22.

10. Quamquam, &c. "Though why dwell on this? For by whom have your expostulations with Deiotarus been unheard? Every one knows the drift of them. You never accused him as an enemy,"

&c. *Queri cum aliquo* = exprobrare alicui acceptam injuriam. Z. 307. For the complaints of Cæsar against Deiotarus, see Auct. *B. Alex.* 67, seqq.

12. Hostem. The distinction that *hostis* means an enemy of the state, and *inimicus* a private enemy, is not always observed. See *de Fin.* 5, § 29; *Verr.* 2, § 58; *Sest.* § 129; and compare note on p. 54, line 27.

14. Daturum fuisse. Benecke, Klotz, and Soldan give *daturum esse*, which is the reading of only the Erfurt MS., but supported by the note of the Schol. Gronov. on this passage, who gives the following letter from Cæsar to Deiotarus: *Turpe est. Et ego amicus tuus fui. Quæ causa est, ut ad Pompeium transires? Sed ignosco tibi, si secutus es nomen senatus. Mitte exercitum Pompeio, mitte filium, tu tantum excusatione utere, quia senex es.*

15. Ipse, sc. autem. Z. 781. Benecke, Soldan, and Madvig: *si, quum auxilia Pompeio vel etiam filium misisset,* &c. Soldan: *ipse tamen;* and Benecke: *ipse tamen excusatione ætatis;* Klotz reads *si quum aux. Pompeio vel si etiam fil. misisset, ipse tamen,* &c., which Frotscher also approves.

16. Maximis .... rebus = hostili odio. For the circumstance that Deiotarus had not from his own impulse and from hatred marched against Cæsar, but had followed the general course of things, amounted to an acquittal in reference to the most important point of the charge.

17. Amicitiæ neglectæ vel violatæ *culpam.* Nam accusabat eum *ut amicum officio parum functum.* The fault was very trifling, and had no *enmity* in it.

18. In eum .... animadvertisti. See note on p. 17, line 32. Observe also that *eum,* the object of *liberavisti,* is to be supplied from *in eum.* Cf. *de Orat.* 1, 15, 69: *ad eum delata et tradita* without *ei; ad Fam.* 13, 4, 6: *ut te horter et suadeam* without *tibi.* Comp. Z. 766.—*Sed omni.* When *sed* alone, without *etiam,* follows *non modo* or *non solum,* the first clause is included: i. e. as the particular in the general, the weaker in the stronger, the less numerous in the more numerous. Therefore with *cuncti* and *omnes* regularly the simple *sed* is found.

19. Regem. Gallogræciæ s. Galatarum.

CH. IV.—**20. Progressus,** sc. ad aliquid moliendum. Additum est concinnitatis causa, ne, quum in sqq. *errore communi* additum haberet *lapsus, odio tui* suo participio fraudaretur. The complement of *progressus* is omitted to avoid any invidious allusion. Klotz gives *progressus est .... lapsus est.*—*Errore communi.* Cf. *Phil.* 11, 13, 34.

21. Honorificentissimis. Z. 105 (*c*).

22. Appellavisset. The subjunctive expresses the thought only as the speaker's conception or idea. Z. 565. But in this passage the common text (omitting *quum* after *quique*) puts a period after *versati,*

Page 87 and commences the 4th chapter with *Quum audiret*. Madvig defends the common text and punctuation as required by the moods and tenses (*appellavisset .... duxisset*) which are brought together, and confirmed by the connection. "Cicero primum (§ 10) universe Deiotarum dicit, qui senatus auctoritatem maximi facere consuevisset, perturbatum esse iisdem rebus, quibus eos, qui minus perturbari debuerint, deinde (§ 11) has res et hanc perturbationem singulatim describit." Klotz, from MSS. which give *quique eum illum*, &c., or *quique cum illum*, &c., formed the period as given in the text, and was followed by Orelli and Süpfle. Madvig and Soldan: *quique eum ordinem .... versati*. IV. 11. *Quum audiret*, &c.

24. Est perturbatus = in errorem abductus est, a softened expression like *lapsus est* above. The causes of this error are given in the following chapter. This is the *first* excuse for Deiotarus's joining Pompey.—*Longinquus*. For if those who were born and living in the heart of the republic, yet mistook the true state party, *a fortiori* might Deiotarus, a foreigner, living at a distance. *Nati* refers to *alienigena*, and *versati* to *longinquus*.

27. Consulibus. These were C. Claudius Marcellus and L. Cornelius Lentulus, A. U. C. 705. Cf. Cæs. *B. C.* 1, 5; and Cic. *ad Fam.* 16, 11, 3. The measure here referred to caused the friends of Cæsar to take refuge at Ravenna, where he then was.—*Nobis imperatoribus*. Cicero had just returned from Cilicia, and in expectation of a triumph was now at the city. See *ad Fam.* 16, 11; and note on p. 77, line 3. Instead of *nobis*, the reading in most of the MSS. as well as the best, is *novis*, which Schultz also gives in his text, and Benecke thinks may be defended from Cæs. *B. C.* 1, 5, and 6.

30. Esse inclusam. *Esse* is omitted in the common text. Compare note on p. 86, line 40.

33. Consules ex Italia profugisse. Cf. *Phil.* 2, 22, 54.—*Sic enim ei nunciabatur*. Not *all*, for Cicero, Sulpicius, and others remained.

34. Esse effusam. Manutius adds *ad bellum contra te gerendum*, but it answers rather to the preceding *profugisse*, and = in fugam effusam. Were dispersed; for on hearing of the march of Cæsar towards the city, the optimates fled, and joined Pompey in Greece.

35. Ad Orientem, i. e. to Asia where Deiotarus was.

36. De conditionibus tuis. Pompey demanded that Cæsar should deliver his army and province to a successor, previously to his suing for a second consulship. Cæsar offered to disband his army if Pompey did the same. Cf. Cæs. *B. C.* 1, 9; Cic. *ad Fam.* 16, 12. After *veri* in this line Klotz with some MSS. gives *nuntii*.

38. Certorum hominum. Especially the consuls Lentulus and Marcellus, M. Bibulus, L. Domitius, P. Scipio, and Cato, who all, in

their opposition to Cæsar, betrayed motives quite distinct from love of country. Cæs. *B. C.* 1, 4.

39. Se tenuit, retinuit, quo minus ad bellum proficisceretur

40. Ignosce. Pardon the man so circumstanced in regard to Pompey, who, from his high command in the republic, and his intercourse with Deiotarus in the Mithridatic war, had naturally great influence over him. The *second* excuse.

42. Ad quem quum .... congessissent. On *quum* and the subjunctive, see note on p. 85, line 1. *In quem* is the common reading; and *congerere omnia ornamenta in aliquem* is a more common construction than *c. o. o. ad aliquem.* The former = to confer on one or impart to one all honors and distinctions; the latter = omnia congerere ad aliquem ornandum, to make every thing contribute to the honor of some one. By *ad* the direction towards an object is denoted, by *in* the object itself.

43. Tu ipse. Cæsar and Pompey, united by the affection and prudence of Julia, and acting in the true spirit of their triumvirate, readily voted each other the highest offices and honors; but Julia may be also meant.

44. Si .... idcirco. See note on p. 26, line 7.—*Tuæ res gestæ.* See note on p. 36, line 31.

3. Honores populi Romani, a populo Romano in Pompeium collati.

4. Quanti senatus. What ellipsis is there here; and what do we in English supply? Z. 767.

5. Tanto .... quanto. Benecke, Klotz, and Soldau, from the Erf. and other MSS., read *quanto .... tanto.* Verum qui sic loquitur, is, quanta Cæsaris gloria sit, ostendit Pompeii comparatione; Cicero, Deiotari excusandi causa, quanta Pompeii gloria fuerit, commemorat; itaque omnia breviter comprehendens tantam ait fuisse Pompeii gloriæ præter ceteros præstantiam, quanta nunc Cæsaris sit. Madvig.

7. Tuos enumerare non possumus. Compare *p. Marcel.* 2.

CH. V.—**9. Ad eum igitur.** *Igitur* resumes the thread of the narrative, which had been interrupted by § 12. Z. 739. The *third* excuse is drawn from *antecedent* circumstances. He had been the old ally, host, and friend of Pompey.

10. Justis hostilibusque bellis. *Bellum justum* is one commenced and carried on in accordance with the usual formalities. Cf. *de Off.* 1, 11, 36. *Bella hostilia* are wars waged with a foreign foe, in opposition to *bella civilia.* For *hostis* was anciently = *peregrinus.* The assistance here alluded to was afforded in the Mithridatic war, which Pompey terminated.

11. Quocum. Cicero usually uses *quocum,* and (rarely) *cum quo,* to refer to a definite person, and *quicum* when the reference is indefinite or general.

Page 88 **12. Et venit, &c.** The *fourth* excuse, from the *concomitant* circumstances.—*Vel .... vel .... vel* Z. 336, 339.

13. Evocatus. Benecke and Soldan read *vocatus*, and consider inappropriate the particular meaning of *evocatus* as applied to a veteran who has served his full time and received his discharge, but is afterwards called to the field by special request, or, as a compliment to his military experience, on special occasions. For *arcessitus*, Benecke, Klotz, and Madvig give the form, *accersitus*.

14. Ad fugientem, &c. Not to a victorious general, but a retreating friend. For Pompey had *fled* from Italy to Greece. Therefore Deiotarus's conduct was perfectly disinterested.

16. Pharsalico prœlio facto. The *fifth* excuse, from the *subsequent* conduct of Deiotarus.—*Discessit.* Nec tamen continuo; Pompeium enim ex Pharsalico prœlio profugum secutus, in Cilicia vel in litore Icario expositus est, ut Orientis regna in auxilium illius concitaret.

17. Infinitam = positam in bello, quod quando finem habiturum esset, incertum erat; vague, uncertain.

18. Errori ... satisfactum esse duxit. Cf. *p. leg. Man.* § 17: *vectigalia nervos esse .... duximus; p. Mil.* 8, 22: *munus esse ducebat;* and below, § 14: *tuumque hostem esse duxit suum.*—*Satisfacere errori* est satis errare, nec longius in errore progredi vel perseverare.

19. Utilitatibus tuis paruit = fecit quidquid utilitates tuæ postulabant. They are enumerated below. His aiding Domitius, sending money (most probably) to Sextus Cæsar, frequently auctioning his goods to raise supplies, &c. The common text gives *contulit, teque Alex. bell. gerente util.* &c., which Benecke, Soldan, and Madvig retain. Cæsar had pursued Pompey into Egypt, and there, captivated by the charms of Cleopatra, he had espoused her quarrel with her brother Ptolemy, and involved himself in a war with the Alexandrians.

20. Cn. Domitii. This Cn. Domitius Calvinus was consul A. U. C. 701. In the battle of Pharsalia he commanded the centre, and when Cæsar went to Egypt, he intrusted to Calvinus the administration of the province of Asia and the neighboring countries. Domitius here became involved in a war with Pharnaces, the son of Mithridates, by whom he was defeated in the neighborhood of Nicopolis. —*Amplissimi viri.* Z. 793.

21. Suis tectis et copiis. The former understand of quarters and supplies, the latter of forces. Deiotarus furnished to Domitius two legions and a hundred horsemen in the war against Pharnaces. Hirt. *Bell. Alex.* 34, 35. Hoc tamen loco potius loquitur de alimentis ac receptione in oppida regis. Orelli.

22. Eum, quem tu, &c. The individual here intended is doubtful. Some have referred it to Q. Fufius Calenus; but he was then

governor of Achaia. Others understand Sextus Cæsar, who was at that time præfect of Syria. D. Cass. 47, 26. Soldan brackets *et probatissimum*, and omits *omnibus*, which is to be construed as the dative with *probatissimum*, as in *Planc.* 11, 27.

23. Iterum. In the war against Pharnaces, in which Deiotarus took part. *B. Alex.* 68–77. So Manutius and others; but Orelli refers it to the Alexandrian war.—*Tertio.* In the African war, A. U. C. 708. See ch. 9.

24. Uterere. Z. 166.

26. Tuumque hostem esse duxit suum. A phrase of frequent occurrence, and, according to Manutius, lepōre suo non carens. Compare *p. Mil.* 32, 88: *Cæsaris potentiam suam esse dicebat;* and 36, 100: *Eam fortunam, quæcunque erit tua, ducam meam.* Pharnaces, however, was more the enemy of Deiotarus than of Cæsar. Cf. *Bell. Alex.* 34.

28. Amplissimo honore et regis nomine. *A senatu jam rex appellatus erat; sed Cæsar ei, quamquam victo, regis dignitatem servabat.* Cf. *Bell. Alex.* 67. Klotz, Soldan, and Madvig read *amp. regis honore et nomine;* Benecke, *amp. regis nomine affeceris.*—*Is igitur.* The state of the question or case is: the man whom you relieved from every apprehension of danger, and honored most highly, is accused of wishing to assassinate you at his house. This is sufficiently improbable, as he proceeds to show.

30. Domi suæ. Z. 400.

31. Quod tu. The first proof of improbability deduced from the personal character of Deiotarus. It would argue downright madness in the most prudent of men. Benecke and Madvig read *nisi .... judicas.* Z. 526.

32. Ut enim omittam. He enumerates, by pretending to omit, five marks of improbability: the reverence due to the tutelary gods, the dignity of Cæsar, his fortune, the favors he had bestowed on Deiotarus, the gratitude of Deiotarus, and adds lastly, his danger if he had attempted Cæsar's life.—*Cujus tanti* = quanti or cujus tam magni. The genitive by Z. 448.

33. Deorum penatium. The tutelary gods of his family.

34. Importunitatis. Barbarity, destitute of all sense of propriety, and regardless of time, place, or person.

35. Ferocitatis. Ferocitas est ejus, qui nimium viribus suis confidit.

37. In eo. *In* with the accusative signifies the object or that to which the action refers; with the ablative, the place in which the absolute power of the verb is exerted. Cf. 4 *Cat.* 6, 12: *in his hominibus.*

38. Omnes reges, &c. Who after the defeat of Pompey had joined Cæsar, and having been kindly treated by him, would reason-

Page 88 ably have been expected to avenge his death. Abram enumerates the following: Sadales, king of Thrace, Cotys, Rhascypolis, Ariobarzanes, Tarcondimotus, Mithridates Pergamenus, and Ariarathes.

42. Filio. *Deiotari regis, et patris et filii, et magnus et nostro more instructus exercitus; summa in filio spes, summa ingenii indoles, summa virtus. Phil.* 11, 13.—*Distractus esset* = would have been at variance or discord, would have quarrelled with, fallen out with, &c. Plerique etiam nunc exponunt "discerptus, dilaceratus," quum sit "a societate divulsus esset, in maximum odium omnium, etiam conjugis ac filii, incidisset." Hoc patet partim ex ἐπιθέτῳ *carissimo*, partim ex eo, quod dicit etiam *cogitato scelere* futurum fuisse, ut *distraheretur.* Tantam enim crudelitatem Cæsari, apud quem verba facit, imputare non poterat, ut is detecto Deiotari perfido consilio atque occupato, etiam conjugem et filium regis, homines prorsus innocentes, laceraturus, discerpturus, id est, necaturus fuisset. Orelli.

43. Non modo. I do not say perpetrated, &c. Z. 724.

89 Ch. VI.—**1. At, credo.** An objection. All that you have mentioned as improbable in Deiotarus, becomes easy if he is a rash and inconsiderate man. But *quis consideratior illo?* On *at*, see Z. 349; and on *credo*, Z. 777. *Consideratus*, which is properly said of things, is elsewhere applied to persons. *Phil.* 2, 13, 31: *p. Quint.* 3, 11.

2. Quis tectior. Benecke, Klotz, and Soldan read and defend *quis rectior*, which is found in the best MSS. *Rectus* is to be taken, not in the moral sense of just or honest, but as equivalent to firm, consistent, one whose judgment is correct and sound. But Orelli explains *tectior* as: Metaphora petita ab gladiatoribus, qui, uti debent, contra ictus adversariorum sese tegunt. Non igitur inest in his verbis malignæ calliditatis reprehensio.

3. Quamquam. Z. 341, in fin.

6. Cui porro. Z. 419. Nay, farther; a correction of the preceding sentence: I said that Deiotarus's virtues were known to you; nay, the whole world has heard of them.

8. Quod igitur. He draws the conclusion from the acknowledged probity and prudence of Deiotarus. Instead of *audita est*, Benecke, Klotz, and Soldan read *sit audita*. In the next line, for *cadere posset*, Madvig reads *caderet*, considering the former as expanded from the latter by some copyist for the sake of perspicuity.

10. Idem. Z. 697.

11. Minime stulto. A species of litŏtes or meiŏsis, where an affirmation is made by denying the opposite notion. Comp. *p. Cluent.* 26, 72: *minime amarus is visus est*, &c. Similarly, we say, "he is no fool." On *vir* and *homo*, spoken of the same person, see note on p. 93, line 34.

13. Suspiciose. Place the charges on one side, the life of Deiotarus on the other, and so far from there being in them grounds for

probability, there are none even for suspicion. This he proceeds to prove.—*Inquit*, sc. the accuser.—*In castellum Luceium. Castellum*, a diminutive of *castrum*, is a fort raised in a territory to defend it against the incursions of an enemy; or on its borders, to guard the passes; or lastly, it formed a part of the regular encampment itself Owing to the security which these *castella* afforded, towns were often built near them. Here *Luceium* is to be taken first, *generally* as the name of the "castle" adjacent to, but distinct from which was the royal palace. Hence visiters to the palace were said "to come to the castle." Again, ch. 7, it is taken as the "citadel" or "castle," *properly so called*, and as such is visited by Cæsar the following day. Orelli regards the name *Luceium* as corrupt, as Strabo calls it Βλούκιον.

14. Devertisses. Z. 209. Soldan gives *divertisses*.

16. Huc. The place where the gifts were displayed.—*E balneo*. For the bath before dinner was Roman etiquette.

17. Ibi .... in eo ipso loco. The former denotes the place generally, and the latter epexegetically more nearly defines it. *In eo ipso loco* also are to be more closely connected with *collocati*, so that *erant* stands by itself, and *collocati* as in apposition with *armati*. "For there were armed men, who had been placed in that very spot, for the purpose of killing you."

18. En crimen, en causa. Z. 403, *Note* 2.

19. Ego mehercules. The first circumstance connected with the charge, and which shows its improbability, is that a physician was privy to the secret, yet that the sword was preferred to poison. On the form *mehercules*, see Z. 361, *Note*.

20. Quum est ad me ista causa delata, et delatum *Phidippum .... esse corruptum*. When that case was laid before me, *and it was laid before me*, that Phidippus, &c. So Matthiæ. Benecke more correctly takes the acc. with the infin. as in apposition with *causa*, for the purpose of more nearly defining wherein this consists. In Cicero, when an *acc. c. inf.* is governed by an abstract substantive, the substantive usually has a demonstrative pronoun agreeing with it, as in this instance.

22. Ab isto. Castor: spoken with contempt. See note on p. 9, line 16. Soldan and Klotz: *ipso*.

26. Quid ait medicus. *Medicus* with emphasis, to contrast with *veneno*. Soldan: *agit medicus*.

27. Primo .... deinde. The two advantages of poison: "it is more secret, and has more impunity." Madvig: *primum*.

30. Jovis ille quidem hospitalis. Strangers and guests were under the immediate protection of Jupiter, who avenged any injury done to them. *Hospitalis* = ξενίου. Benecke, Klotz, and Soldan read *Jovis illius quidem*, &c.

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89 **31. Homines .... celasset.** Z. 391. On the omission of *vero*, see Z. 781.

32. Quod igitur, &c. The double interrogation has the force of argumentation. Very likely, forsooth, that Phidippus, who was not trusted in the way of his profession (poison), should be privy to arms, swords and an ambush.

33. Tibi, Phidippo.

34. De armis .... celare te noluit. Z. 391, *Note.*

35. Crimen contexitur. So in Greek, *ὑφαίνειν, ῥάπτειν δόλον, κακά, θάνατον.*

37. Inspicere, sc. ea, quibus te Deiotarus munerare constituerat.

Ch. VII.—**38. Quid postea?** Z. 769. Soldan and Klotz: *Deiotarus rex illo tempore non perfecta re continuo, &c.*

39. Dimisit exercitum. In imitation of the braggart Thraso in the Eunuch of Terence, 4, 7, 44, Cicero here sportively calls the assassins who were placed in ambush the army of Deiotarus. It must have produced a ludicrous effect to address a few hired bravos by the dignified appellation of *exercitus*, and therefore tended to "dilute" the charge by setting it in a ridiculous point of view.

41. Itaque fecisti = et ita fecisti; and you did return thither after supper. See note on p. 15, line 37.

42. Magnum fuit? Would it have been a difficult matter, with a tinge of irony.

43. Comiter et jucunde fuisses. Z. 365, in fin. It is the language of familiar confidential intimacy.—*Isti* from *eo, ire.*

90 **1. Rex Attalus.** King of Pergamus, the third of the name, who, A. U. C. 621, made the Roman people his heir. Liv. *Epit.* 57, mentions a similar circumstance of Antiochus, king of Syria; and since we have no information of such presents made by Attalus, some have supposed that we should read here Antiochus. Neutiquam cum Ursino h. l. *Antiochus* reponendum neque de Ciceronis ipsius *ἁμαρτήματι μνημονικῷ* cogitandum: nam ab Attalo non minus quam ab Antiocho, et simili quidem ratione, munera accipere potuit Scipio. Orelli.—*P. Africanum.* Africanus minor. He carried these gifts into the public treasury, and promised to reward with them the bravest of his army.

2. Ad Numantiam. In Spain, where Scipio was then commanding. What does *ad* with names of towns signify? Z. 398, *Note.*

3. Inspectante. Indicating the attention of the observers.

4. Regio et animo et more, i. e. maximo splendore et liberalitate.

5. Repete .... memoriam, pone .... diem, vultus .... recordare. Notice the arrangement of the clauses. The first and second in *anaphorical* order, the third *chiastically.*

7. Num quæ. Z. 136. Dropping the interrogative form, it = plane multa. So *num quid*, sc. *fuit, factum est,* with *nisi*, since in *num* the notion of negation lies. Z. 735.

10. Disciplina. Every thing was in *keeping* with a well-regulated family, and none of that hurry and disturbance inseparable from the execution of guilty enterprises.

14. Acta res criminose est. This thing was brought forward as an important part of the accusation; the accusers made it the subject of the gravest charges.

15. Vomere post cœnam, i. e. *ἐμετικὴν agere,* as he calls it, *ad Att.* 13, 52. This was a frequent practice with the ancients, and particularly with Cæsar, as appears from the letter just quoted: *Accubuit* (Cæsar), *ἐμετικὴν agebat. Itaque et edit et bibit ἀδεῶς et jucunde; opipare sane et apparate.* This disgusting practice did not argue Cæsar a drunkard; for Suetonius, *Jul.* 55, says, *vini parcissimum ne inimici quidem negaverunt.* It was rather to relieve himself from indigestion after an official entertainment, and a sort of compliment to Deiotarus, intimating that he intended to pass the evening cheerfully with him. Seneca, alluding to this custom of voluptuaries, says, *ad Helv.* 9, *Vomunt ut edant, edunt ut vomant.*

16. Eadem tua illa. Klotz: *eadem illa tua.* Soldan and Madvig omit *illa.*

17. In cubiculo malle. Supply *vomere.* So also Madvig. Others, *in cubiculum te ire malle dixisti.—Dii te perduint.* A common formula of imprecation which is often found in the comic poets. Z. 162.

18. Fugitive. A term of reproach of frequent occurrence. Here, however, with special reference to the faithless slave. Benecke reads, *ita non modo improbus, et fatuus, sed etiam amens es.*

19. Signa ænea, and not men rather.

20. Quæ .... transferri non possent. That they could not be removed, &c. Z. 556.

21. Habes crimina insidiarum. There are the charges for you; and you may judge of their importance! Compare *in Pison.* § 53: *Habes reditum meum.—Horum .... eram conscius.* Phidippus conceived that evidence of his being in the secret should establish the credit of all that he had said. Cicero denies that Deiotarus would in that case have trusted Phidippus to visit Rome, where Castor his hostile grandson was, and also the much-injured Cæsar.

22. Quid tum. Z. 769.

23. Haberet. Benecke and Klotz: *habebat.*

25. Cui fecisset. According to their account.—*Præsertim quum.* An instance of brachylogy, in reference to the negative import of the preceding question, where *Romam mitteret = non mitteret eum Romam, præsertim quum,* &c. So also *p. Arch.* 9, 19; *p. Mil.* 30, 81. Render: and that, when or although, &c.

26. Judicare. Quum nec *vindicare* neque *indicare* claram sententiam præbeat, præfero nunc Olx. et Lamb. susp. *judicare:* "quum

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90 cogitaret Cæsarem unum esse in orbe terrarum, qui judicare de se (Deiotaro) etiam absente regnoque se spoliare posset; alii vero judices, quos absens reformidaret, nulli erant." Orelli. Benecke, Steinmetz, and Klotz read *vindicare*. With this reading, *is* refers to Phidippus, and *se* is the accusative after *vindicare;* also, referring to the same. Süpfle and Madvig read *indicare*. And that too, notwithstanding he (Phidippus) was the only man who could give information in Rome against him in his absence. For had Deiotarus been present, he would have been able to refute the charges of Phidippus. Süpfle regards *se* as a gloss which might easily have arisen from the preceding syllable *te*.

28. Vinciret. Klotz: *vinxerit*.

30. Scire. Not *scisse;* for they still knew, and it is the same as *quæ illi sciebant, ut dicis*.

CH. VIII.—**31. Reliqua pars.** The first part of the charge was the attempted assassination of Cæsar; the *rest* of it argued only disaffection towards him: 1. In attending too much to unfavorable rumors about Cæsar; 2. In levying a large army against him. The latter point (with which he connects the charge of holding a correspondence with one Cæcilius, a Pompeian, as also of supplying Cæsar with inferior cavalry) he answers first in the remainder of this section. —*Regem semper in speculis fuisse. Speculum* in quo specimus imaginem, *specula* de qua prospicimus. Varr. 5, 8. *Esse in speculis* = to be on the watch, to observe. So *in Verr.* 1, 16, 46: *nunc homines in speculis sunt; observant, quemadmodum sese unusquisque vestrum gerat.* Cf. *p. Muren.* 37, 79; *ad Att.* 9, 10; *ad Fam.* 4, 3. See § 25.

32. A te animo esset alieno. Z. 470. Benecke and Soldan read, *esset animo*.

34. Eas . . . quibus . . . posset = tales . . . . ut iis, &c. Z. 556.

36. Ab excursionibus et latrociniis. After these words Madvig gives *hostium*.

38. Antea. Before Cæsar deprived him of part of his dominions. When Cicero was proconsul of Cilicia, Deiotarus brought to his assistance thirty cohorts of infantry and two thousand cavalry. *Ad Att.* 6, 1, 14.—*Exiguas*. Absolutely small or trifling; but *parvas* relatively so. Hence its propriety here. This is said to move Cæsar's pity.

39. Cæcilium. Q. Cæcilius Bassus, a Pompeian, noticed, *ad Fam.* 12, 18; and Liv. *Epit.* 127. He spread a report that Cæsar had been defeated and killed in Africa, and seized the government of Syria, which he held till the arrival of Cassius. Cicero, to suit his purpose, speaks of him here contemptuously, as also *ad Fam.* 12, 18; but *Phil.* 11, 13, he says, *Est Q. Cæcilii Bassi, privati illius quidem, sed fortis et præclari viri, robustus et victor exercitus.* With

him, however, Deiotarus was accused of attempting to open a communication, and of imprisoning the messenger for refusing to go. To this Cicero replies ironically, "What a likely story, forsooth, that he had not others to send (if they refused); or, that the persons whom he had sent, did not obey his orders; or, (lastly,) that those who in so important a matter had disobeyed him, were imprisoned (only) and not put to death!"—*Nescio quem.* Z. 553.

43. Dicto audientes. See Arnold's Nepos, *Lys.* 1, 2. Klotz and Soldan: *dicto obedientes.*—*In tanta re.* Namely, waging war against Cæsar.

1. Utrum, &c. When Deiotarus sent messengers to Cæcilius, he must either have been ignorant that the Pompeian cause was ruined (*causam illam victam*), or have conceived Cæcilius an important man; neither of which is at all likely. Therefore he did not send them.

2. Is, qui. Deiotarus, who as possessing an accurate knowledge of every Roman, must despise Cæcilius. For if he knows him, he despises his insignificance; if he does not, he despises him for not attracting his notice. Cf. *Phil.* 2, 7, 16: *O miser sive illa tibi nota non sunt .... sive sunt,* &c. *Ibid.* 22, 54: *O miserum te si intelligis, miseriorem, si non intelligis,* &c. Benecke, Klotz, Süpfle, and Madvig read, *vel quia non nosset, vel si nosset.*

4. Addit. Namely, the accuser.—*Illud.* Z. 748.

5. Misisse, sc. against Pharnaces.—*Nihil ad.* Z. 296, in fin. Benecke, Klotz, and Süpfle retain the common text: *Veteres, credo, Cæsar;* and Benecke takes the words as spoken ironically, "his old ones, forsooth;" and *nihil ad tuum equitatum,* as an enlargement, which Cicero makes on the preceding sentence, *equites non optimos misisse;* but Klotz and Süpfle better understand *veteres* as = veterans, those who had seen service and received their discharge, taking the sentence without irony. The reading, however, of Madvig, which Orelli adopted, is preferable.

6. Delectos. Benecke, Klotz, and Madvig: *electos.* Cf. § 28; and *p. Mil.* § 23.—*At nescio quem.* Z. 553. The common text is, *Ait nescio quem,* &c.; and so Madvig.—*Ex eo numero* = ex iis. Cf. *p. Marc.* § 21.

7. Servum judicatum. Slaves were not allowed by the Romans to serve as soldiers, particularly in the cavalry. Servius, *ad Æn.* 9, 547: *Lege militari servi a militia prohibebantur; unde et in Deiotariana purgat hoc Cicero, quum fuisset objectum, inter equites, quos Deiotarus miserat Cæsari, unum servum fuisse. Servos sane nunquam militasse constat nisi servitute deposita, excepto Hannibalis tempore, quum post Cannense prœlium in tanta necessitate fuit urbs Roma, ut ne liberandorum quidem servorum daretur facultas.* Marcianus, *in Fr.* 11, *Dig.* 49, 16: *Ab omni militia servi prohibentur; alioquin capite puniuntur.*

Page 91 CH. IX.—**10. Alieno autem a te animo quomodo?** The former *secondary* charge, which he now proceeds to answer. The common text and punctuation gives, *animo fuit. Quomodo? Speravit,* &c.—*Speravit, credo,* &c. Had Deiotarus been disaffected towards Cæsar, finding him beset with difficulties in Alexandria, he would have neglected to lend him assistance. The reverse was the fact. *Credo* is ironical. For with the taking of Alexandria, Cæsar had overcome his greatest difficulties. "He hoped, forsooth, that you should never extricate yourself;" i. e. he hoped no such thing, as his conduct proved.

11. Propter regionum naturam et fluminis. See Cæs. *B. C.* 3, 112; *Bell. Alex.* 25–32. On the order it should be observed that the common notion *naturam* takes the middle place, and that the words *et fluminis* have the character of a supplementary afterthought. In other passages this arrangement seems chosen to avoid the coming together of like endings. Cf. *p. Marcel.* § 24: *in tanto animorum ardore et armorum;* § 32: *laterum nostrorum oppositus et corporum pollicemur.*

12. Pecuniam dedit. He had said above, ch. 5, *Utilitatibus tuis paruit.*

13. Ei, quem Asiæ præfeceras. Cn. Domitius Calvinus. Cf. §§ 14, 25. Benecke and Klotz omit *ei;* and *in* after *nulla.*

14. Victori. In Egypt. Deiotarus not only entertained Cæsar, but accompanied him against Pharnaces, bringing along his "Roman" legion and all his cavalry. *B. Alex.* 67. Benecke and Klotz read, *sed ad periculum atque aciem;* and Madvig omits the *ad* before *aciem,* but retains *etiam.*

16. Bellum Africanum. Cæsar, after his speedy conquest of Pontus, delaying only a few days in Italy, proceeded to Africa, where Scipio and Cato with Cn. Pompey the son, assisted by king Juba, had hoisted the standard of the republic.—*Graves de te rumores.* The republican forces had gained some slight advantages in Africa, which, being exaggerated by their friends into a report that Cæsar was killed, gave a color to Cæcilius and others to renew the war in Syria.

17. Quo tum rex animo fuit? Z. 471. A triumphant argument of his friendly feelings towards Cæsar. The *graves rumores* had no other effect on Deiotarus than to quicken his benevolence. His very furniture was put to the hammer, and the proceeds remitted to Cæsar. As *auctionor* is deponent, *bona, supellectilem,* or the like is understood.

18. Auctionatus sit .... maluerit. Z. 555, 564.

19. At eo .... tempore. Cicero had instanced the sacrifices of Deiotarus. The accuser urges that these were the effect of fear, because at that very time, Deiotarus was collecting every idle rumor to Cæsar's disadvantage. As Cicero could not deny this, he fixed on an

improbable circumstance in the charge, and against it directs the shafts of his eloquence.

20. Nicæam. Nice was the capital of Bithynia, situated on the lake Ascania. It was the central point of all the main roads leading to eastern and southern Asia, and remarkable as being the town where the first general council was held, A. D. 325. Hence the Nicene creed.—*Ephesum.* A city of Asia Minor, remarkable for populousness. Plin. 5, 27, calls it *lumen Asiæ.* It and Nicæa were much resorted to, and likely to have the earliest intelligence from Africa.—*Qui rumores .... exciperent.* Hence the accusation in ch. 8: *regem .... in speculis fuisse.* The subjunctive by Z. 567.

21. Quum esset ei nunciatum. *P. C.* 297, c; Z. 607, and *Note.*

22. Domitium. After the defeat of Pharnaces, Domitius stayed a short time to arrange the affairs of Asia, and then followed Cæsar to Africa. It was reported that he was lost on the voyage thither.—*Perisse.* Z. 160, and *Note.*

23. Circumsederi. The beginning of the African war was not altogether prosperous for Cæsar. Vell. Pat. 2, 55, 1: *Ibi primo varia fortuna, mox pugnavit sua inclinatæque hostium copiæ.—Versum Græcum.* Plutarch, *de discr. amici et adulat.* 5, has preserved it: Ἐῤῥέτω φίλος σὺν ἐχθρῷ.

25. Una inimici. Benecke and Klotz: *inimici una.*

26. Quod ille. He shows that Deiotarus's disposition forbade the idea of his repeating so unfeeling a verse. But this is very doubtful, as it is stated by Plutarch, *de Stoic. repugn.* 32, that he was very cruel (see Introduction, p. 311, in fin.); and by Strabo, 12, that he put to death his daughter and her husband, Saocondarius.

27. Qui. Z. 133, *Note.*

28. Amicus .... inimicus. For the king's application of the verse was, Pereat Domitius dum una Cæsar intercidat. Cicero shows that the double character of friend to Domitius and enemy to Cæsar was a contradiction; therefore he could not have uttered the verse.—*Tibi inimicus.* And again, the verse assumed that Cæsar was *inimicus Deiotaro;* but this could not be, as Deiotarus was the recipient of innumerable favors from Cæsar.

29. Belli lege. As fighting against him in Pharsalia.

30. Regem et se et filium. Hence ch. 14: *Propone tibi duos reges.*

31. Quid deinde? Z. 769.—*Furcifer.* Phidippus, who as being a fugitive slave, was liable to the punishment of carrying on his neck a *furca,* or species of cross.

32. Hac lætitia = hujus rei lætitia; namely, at hearing of Cæsar's disasters. Both the relative and the demonstrative pronoun often attach themselves to a following substantive, and agree with it in gen-

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91 der, number, and case, when properly they should stand as the object in the genitive. Cf. *p. Mil.* 36, 99: *Quæ si vos cepit oblivio* for *cujus rei, &c.* So regularly *ex* (*in*) *eo numero* (*genere*), where if an adjective clause follows, *qui* (*quæ*) stands with the plural. Cf. *p. Arch.* 12, 31.

33. Nudum saltavisse. *In Pison.* 10: *Quum ipse nudus in convivio saltaret; p. Muren.* 6, 13: *Nemo enim fere saltat sobrius, nisi forte insanit, ... neque in convivio moderato atque honesto.* Hence appears the infamy attached by the Romans to dancing. See *Dict. Antiq.* SALTATIO, in fin.—*Nudum.* Thinly clad, the outer garment thrown off. So Virg. *Georg.* 1, 299: *Nudus ara, sere nudus,* where *nudus* answers to the γυμνόν in Hesiod's verse, from which this is taken.—*Crux.* This punishment was chiefly inflicted on slaves and the worst kind of malefactors. See *Dict. Antiq.* CRUX.

35. Omnes in illo sunt rege virtutes. Madvig: *regiæ virtutes.*

37. Frugalitas, as below *frugi,* is said of a man who by discretion, conscientiousness, and diligence, qualifies himself to be useful in practical life, in opposition to *nequam,* like χρηστός. Doed.

38. Regem. The common text gives *reges.* On the singular, see Z. p. 268, *Note* †.—*Frugi.* The dative of *frux* used adjectively instead of *frugalis,* and often applied to faithful slaves.

39. Fortem, &c. *Fortem,* in facing dangers; *justum,* in giving every man his own; *severum,* in being swayed neither by prayers nor bribes from rectitude; *gravem,* in maintaining equanimity of temper, neither elated too much by prosperity, nor depressed by adversity; *magnanimum,* in looking with disdain on all the petty greatness of common men; *largum,* in exhibiting bountiful liberality; *beneficum,* in doing good for its own sake; and *liberalem,* in bestowing with a noble and generous spirit.

40. Hæ .... illa. Z. 372.

41. Illa privata est. Frugality is the virtue of the subject, the former κατ' ἐξοχήν of the king; and to obviate any mistake he defines it by *modestiam et temperantiam.* Manutius thinks Cicero insincere in this praise, and that he calls the cause *tenuem et inopem,* in allusion to this stinginess.

43. Hæc .... ab ineunte ætate. He reasons thus: Deiotarus was engaged from his youth up, in performing all the public and private duties of a monarch. Such persons are not likely to disgrace their old age by dancing. Therefore, neither did Deiotarus.

92 **1. A cuncta Asia,** i. e. incolis Asiæ minoris h. e. Phrygiæ, Mysiæ, Cariæ, Lydiæ; and therefore the preposition. Z. 451. On the repetition of the preposition, see note on p. 18, line 5. The common text is *tum a cuncta Asia.*

2. Negotiati sunt. See note on p. 51, line 30.

3. Multis ille quidem. Benecke, Soldan, and Klotz: *multis*

quidem ille, because not *ille* but *multis* is to be made prominent. But see note on p. 22, line 2; and compare § 18: *Jovis ille quidem;* and *p. Lig.* 11, 31: *tribuis tu quidem.—Gradibus .... ascendit.* "Degrees." The services of Deiotarus towards Rome became greater and greater. Similarly, *p. Mil.* 36, 97: *cujus* (gloriæ) *gradibus .... ascendere.*

5. Quidquid .... vacabat. Whatever leisure he had, he spent in forming connections, &c. *Quidquid*, sc. temporis.

6. Consuetudines. Social intercourse.—*Res rationesque.* Business relations, commercial intercourse. See Z. 92. *Consuetudines* and *amicitias* may be referred to *magistratibus legatisque*, and *res rationesque* to *equitibus Romanis.*

7. Tetrarches. Not only the governor of the *fourth part* of a kingdom, but the sole ruler of any country which was at any time so divided. So Hirt. *B. Alex.* 67: *Deiotarus tetrarches Gallogræciæ tunc quidem pæne totius*, to which the other tetrarchs questioned his right.

8. Paterfamilias. A master of slaves; the father of a family. It differs from *pater* in not necessarily implying the having of children. It often, as here, imports a careful person, an economist.—*Agricola.* In how great honor agriculture was among ancient kings, appears from the *Cato Major*, ch. 17. Of kings who wrote on husbandry, Hiero, Attalus Philometor, and Archelaus are mentioned by Pliny, Varro, and Columella. Varro too, *de re rust.* 1, 1, 11, says: *Magonis Pœni libros de re rustica utiliter ad sex libros redègit Diophanes in Bithynia, et misit Deiotaro regi.* It is besides well known that royal youths were often brought up among shepherds, and in the midst of flocks and herds.—*Pecuarius.* A grazier; also a farmer of the public pastures. The antiquity and respectability of the shepherd is evidenced by the Shepherd Kings, by the epithets of πολυμήλος, πολυβούτης, &c., applied by the ancient poets to the most illustrious characters, and by the transference of the very name of shepherd to the highest office known among men, ποιμένες λαῶν. See Varr. *de re rust.* 2, 1.

9. Qui igitur, &c. *P. C.* p. 251, 74, 2; Z. 805. The conclusion of his argument; in which *adolescens* is opposed to *ea ætate*, i. e. old age; *nondum tanta gloria præditus* to *ea existimatione;* and *severissime .... fecerit* to *saltavit;* where the first and second in each, are, it will be observed, in an inverted order, not the third. Similarly, *ad Fam.* 11, 28, 5: *An, quod adolescens præstiti, quum etiam errare cum excusatione possem, id nunc, ætate præcipitata, commutem ac me ipse retexam.*

Ch. X.—**12. Imitari, Castor.** Cicero, *p. Rabir. post.* 1, says that it is almost a gift of nature, for people to follow up the praise and glory of their family; not so Castor. Benecke, Klotz, and Madvig omit *tui* after *avi.*

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14. Saltatorem avum. If your grandfather had been a professor of dancing, which he was not, yet ought his years to have exempted him from this railing accusation. For even his laudable pursuits, his military exercise and horsemanship are given over; much less is he fitted for dancing.

15. Pudoris pudicitiæque. Modesty and chastity. Impudens ab animo, impudicus a corpore laborat.

18. Sed bene ut armis .... uteretur. The construction is varied from *sed bene armis ... equis utendi*, which would accord with *saltandi*. Horsemanship was the first branch of a princely education.

19. Exacta ætate. Eight years before, when Deiotarus assisted Crassus, he was an old man; and Dion Cass. calls him ὑπεργήρωντα, when he aided Brutus.

20. Hærere in eo. Cf. Hor. *Carm.* 3, 24, 54: *Nescit equo rudis Hærere ingenuus puer.* This probably occurred in Pompey's camp before the battle of Pharsalia. Benecke and Klotz: *hærere senex in eo posset.*

21. Hic vero adolescens, i. e. Castor, who was in Cicero's army in Cilicia, when he was carrying on war, A. U. C. 703, against the Cilician mountaineers, and in Pompey's in Greece. Therefore his accomplishments were well known to Cicero.

24. Pater. Saocondarius, the son-in-law of Deiotarus; Cicero keeps him before Cæsar's mind as being once as great a foe as Deiotarus.

25. Quos concursus. What crowds were collected to look at him! Cicero designedly leaves their motive in collecting dubious, but the following words sufficiently show that it was to ridicule him.

26. In illa causa. Pompeii. As Cicero mentioned the father, so he takes care to set forth the alacrity of the young Pompeian, of which he had himself been witness.

27. Concedere = *cedere*, to yield to.—*Quum vero exercitu*, &c. The reading here is doubtful. Orelli's agrees with Madvig's, except that M. gives *fuissem* instead of *fui*. Benecke from the Erf. MS. reads, *Quum vero exercitu amisso et cupiditate post Pharsalicum prælium suasor fuissem armorum non ponendorum*, &c. Klotz: *Quum vero exercitu amisso, ego, qui pacis auctor semper fui, post Pharsalicum autem prælium suasor fuissem armorum non deponendorum*, &c. Pompey had about 15,000 men killed, and more than 24,000 taken prisoners. Cæs. *B. C.* 3, 99.

29. Abjiciendorum. Without making any terms. This word shows his eagerness to terminate the civil war. He uses the same in writing to Marcellus.—*Ad meam auctoritatem.* As Cicero could not prevail on Castor to desist from war, owing to his military ardor and his wish to satisfy his father, we may infer that both father and son were determined foes of Cæsar

31. Ipsius belli, i. e. without regarding the good of the cause. But Benecke takes it as = ejus ipsius, Cicero having already spoken of Castor's zeal in the cause of Pompey. In this case *ipse* commonly stands before its substantive; and if Cicero had spoken of war in general, he would have said *belli ipsius*. Madvig reads *illius*.

32. Felix ista domus. Cicero compares the fortunes of the two families, in order to excite odium against the one, and pity towards the other. They were both in Pharsalia. Mark the consequence. Castor is not only restored to Cæsar's favor, but permitted to accuse others. Deiotarus is allowed to be arraigned by one who was in Pharsalia as well as he, who is his own grandson, and before Cæsar, at once the injured party and the judge.

33. Calamitosus Deiotarus. The † shows that the passage is doubtful. Benecke from some MSS. gives *qui et ab eo*, which Hand, *Turs.* 2, p. 521, approves. Recta sententia unice inest in ea, quam olim proposui, conjectura: *qui non modo ab eo, qui in iisdem castris fuerit, apud te, sed etiam a suis accusetur.* Orelli.

35. Vos vestra. *Vestra* answers to the preceding *ista domus*, and includes Castor and his father.

Ch. XI.—**38. Sint sane inimicitiæ.** Admit the existence of enmity between the families, which gratitude and piety forbid, still you might have entertained it like human beings, and not be thirsting for blood like savage beasts.

40. Quis tuum patrem .... qui esset .... audivit. See note on p. 56, line 15; and p. 70, line 1. For *qui esset* some MSS. give *quis esset*. What is the difference? See Arnold's Nepos, *Themist.* 8, 6, 2, p. 105.

42. Ingrate et impie. *Ingrate* alludes to the favor, *impie* to the tie of relationship.

43. Hominum more, i. e. in an open and honest manner; *not* to prefer false charges; *not* to seek to take away the life, &c.

44. Capitis arcessere. Z. 446, 447.—*Esto.* It might be supposed that Cicero having convicted Castor of *ingratitude* and *impiety*, should be obliged to stop there, as crimes so heinous hardly admitted of amplification. But here his art appears in seeming to accede all this as trivial, that he may charge Castor with attempting to shake the foundations of human society, and to declare war against mankind. Compare ch. 1, 3: *non tam afflictam regiam conditionem dolebam, quam de fortunis communibus extimescebam.*

1. Adeone. Supply *concedi debet* from the preceding. Benecke and Klotz, in this line, read *acerbitatis et odii.*

4. Abducere domum. To entice Phidippus from the legates of Deiotarus to your house.

5. Uni propinquo. Deiotaro.

7. A tanta auctoritate = ab homine tantæ auctoritatis. Comp.

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93 note on p. 69, line 19. Such is Cæsar's authority, that *approbation* is implied in *impunity* being permitted.

9. Id, quod intus est. Namely, the slaves who reside in our families. Spoken contemptuously.

10. Evolare = in vulgus proferri, sed cum animi levitate. Cf. *emanare*, *Orat.* 15, 47; *erumpere*, *Phil.* 2, 39, 100; *Læl.* 21, 76.—*Fit in dominatu*, &c. It makes a slave of the master, a master of the slave.

11. O tempora. How changed! *O mores.* How unlike what they were! He proves both by comparing Domitius and Castor.

12. Cn. Domitius. Ahenobarbus. He was consul, A. U. C. 658, with C. Cassius Longinus, and censor with L. Crassus, the orator. Scaurus had refused to choose him among the augurs. He, therefore, in return, accused Scaurus of not duly attending to the worship of the Penates in Lavinium. Plutarch reverses the names in this transaction; but Valerius Maximus, 6, 5, corroborates Cicero's statement, and adds, *quem populus tum propter alias virtutes, tum hoc nomine libertius et consulem et censorem et pontificem maximum fecit.* Perhaps he owed his popularity no less to a law by which he gave the people a voice in the election of priests. See Asconius, *in Scaur.* p. 21, ed. Baiter, who says, *absolutus est Scaurus quidem, sed ita, ut a tribus tribubus damnaretur, a* xxxii *absolveretur, et in eis pauca puncta inter damnationem et absolutionem interessent.*

14. M. Scaurum, sc. Æmilium. He was consul, A. U. C. 639.—*Principem civitatis.* The title of *princeps senatus*, which the censors had six times conferred on him, he here varies by saying, *princeps civitatis.*—*In judicium populi.* The *judicia populi* were those in which the *populus* acted as *judices.* They were originally held in the Comitia Curiata, and subsequently in the Centuriata and Tributa. See *Dict. Antiq.* Judex.

16. Prehendi hominem. Benecke, Klotz, and Madvig: *apprehendi.*—*Hominem*, for the demonstrative pronoun referring to the preceding *servus*, with the accompanying notion of contempt, which may be derived from its frequent use to denote one of the servile condition. *P. Tull.* § 19: *Cati .... duo homines; p. Quinct.* 19, 61: *hominem Quinctii;* and in the language of the jurists, without any connection with the name of the master; e. g. *homo Stichus, hominem emere.*

17. Ad Scaurumque. Not *adque Scaurum.* Z. 356.—*Vide, quid intersit.* A similar antithetical passage is found in *Verr.* 5, 37.

18. Etsi inique .... comparo. For Domitius was a man of character and honor, not so Castor. So *in Pison.* 4, 7, comparing Metellus Celer and Piso, he says, *facio injuriam fortissimo viro mortuo, qui illum cujus paucos pares hæc civitas tulit, cum hac importuna bellua conferam.*

22. At semel, &c. The MSS. here appear uniform, but Weiske

suspects some mistake, and would correct the text. This seems unnecessary. The imputation on Castor is this: that after Phidippus had received his first bribe, and given his testimony, he acknowledged before respectable witnesses that it was false, and that he had been corrupted. But he now persists in the same tale. The inference drawn by Cicero is, that the bribe must have been repeated.

23. Ad legatos. Namely, Hieras, Blesamius, and Antigonus, a quorum pedibus per te abstractus erat.

24. Nonne etiam ad hunc Cn. Domitium. Probably the same Domitius who is mentioned, ch. 5, as a general of Cæsar's. Sulpicius is the celebrated lawyer, a friend of Cicero, and zealous adherent of Cæsar. They were both present on this occasion, as may be inferred from the use of the pronoun *hic*. So below, ch. 14: *huic Blesamio; p. Arch.* 9: *hujus proavus Cato.* Benecke, Klotz, and Madvig omit *etiam.* Orelli says: Servavi cum Cod. Bern. v. *etiam;* videlicet significat, "vel ad ipsum Cn. Domitium, Cæsaris amicum, venisse Phidippum, sui indicii jamjam pœnitentem."

26. T. Torquato. The Torquatus here mentioned is uncertain. Orelli, in his Onomasticon, makes him the son of A. Torquatus, or of the Titus who is mentioned in *Brut.* 70, 245; and *p. Planc.* 11, 27.

CH. XII.—**29. Impotens.** The common text gives *impudens,* which Orelli supposes was substituted by copyists for the true reading, from ignorance of the sense which *impotens* here has. Compare *Phil.* 5, 9, 24: *impotentem, iracundum, contumeliosum, superbum, semper poscentem, semper rapientem, semper ebrium. Impotens* in such cases is not = weak, but ungovernable, violent, tyrannical.

30. Idcirco . . . . ut. See note on p. 26, line 7.—*In hanc urbem . . . . hujus urbis.* The repetition is for emphasis. In line 32, the MSS. give *inhumanitate* for *immanitate,* and so Benecke, Klotz, and Madvig read. Frotscher prefers *immanitate.*

31, Domestica = Asiatic and barbarous.

33. At quam acute collecta. Ironically, for Castor's charges were rather an invective against the tyranny of Cæsar than an injurious accusation of Deiotarus. Compare ch. 6, 19: *At quam festive crimen contexitur.*—*Blesamius,* with Hieras and Antigonus, formed the embassy sent by Deiotarus to plead his cause before Cæsar. See ch. 15. Him the accusers pretended to be a spy.

34. Enim has an ironical force = forsooth. Ironia in eo posita est, quod causa affertur rei, quam falsam vel absurdam esse omnes sciunt.—*Optimi viri.* So also Madvig. Benecke, Soldan, and Klotz: *optimi hominis.* On the difference between *homo* and *vir,* see Arnold's Nepos, *Paus.* 1, 1. *Vir* is said of man in his relations to the state and to civic virtues, as a good citizen or patriot; *homo* is man as an individual or person, or with reference to his relations in private life and to social virtues. They often stand together, and the epithets of *vir* are

Page 93 *bonus, optimus, clarissimus;* while *homo doctissimus, pereruditus, moderatissimus, officiosus,* &c., are common. Though, therefore, *bonus homo* and *optimus homo* are not often found, at least in Cicero, Benecke contends, that as *optimi viri* here would refer to patriotic virtues, *optimi hominis* is allowable and suitable in this passage as referring to moral and social qualities. Doederlein conjectures, *viri optimi nec tibi ignoti hominis.—Maledicebat,* &c. Phidippus did; by repeating slanders of his own invention as if uttered by Blesamius. The slanders were: 1. That Cæsar was disliked by the people, and considered a tyrant; 2. That the placing of his statue in the capitol among those of the ancient kings of Rome had given general offence; 3. That he was not applauded at the public games and theatres.

35. Scribere solebat. Namely, from Rome; for it would appear that the embassy had reached Rome from the king some time before the trial came on. Before *scribere* the MSS. repeat *inquit,* which Benecke, Soldan, and Klotz retain; and Benecke reads *te invidiose tyrannum existimari.*

36. Statua inter reges posita. This statue is noticed by Suet. *Cæs.* 76, and had in fact given public offence. It was erected in the capitol, where were statues of the seven kings of Rome and of Brutus. See Dion Cass. 43, 45.

37. Plaudi. The great, and those who enjoyed the favor of the people, were commonly received with applause in the theatre. See *ad Att.* 3, 44.

39. Blesamius . . . . . scriberet. Blesamius write that Cæsar was a tyrant! Impossible. See Z. 530 and 552.

40. Multorum enim capita. Here *enim* occurs again with an ironical force, and may be rendered "perhaps." See below, § 34: *valde enim invidendum est,* &c.; and *p. Arch.* 5, 11, *Est enim obscurum.* From this description of what a tyrant's acts would be, we are to infer that Cæsar was not a tyrant.—*Capita,* sc. abscissa, truncata.

42. Armatis militibus refertum forum. For Appian, *B. C.* 2, 107, says that Cæsar removed from his person the prætorian cohorts, which during the war had attended him as guards, satisfied with the civic attendants; and Vell. Paterc. 2, 57, that when warned to guard an empire by arms, which arms had acquired, he replied, *Mori se quam timeri malle.* See Plut. *Cæs.* 57; and Suet. *Cæs.* 86.—*Quæ . . . . sensimus, ea . . . . non vidimus.* Benecke and Klotz, with the Erf. MS., omit *ea,* and thus the *quæ* refers to the preceding, and belongs to both *sensimus* and *vidimus,* and the two clauses are antithetical, without the adversative conjunction.

43. In civili victoria. He has in mind such as those of Marius and Sulla.

44. Solus, inquam, es, ... cujus ceciderit. Z. 561 and 563.

3. In victoria ducimus. Benecke and Klotz: *in vict. ducem vidimus.*—*Qui vivit in regno*, i. e. who is the subject of a despotic monarch; opposed to *nos liberi.*

4. Nam de statua. *Nam* is not used here for simple transition, but to introduce a trifling matter hardly worth mentioning. Schultz gives *jam*, as proposed by Döderlein.

5. Quum tam multas videat. Besides the one spoken of as set up in the capitol, where the statues of the kings and Brutus stood, there were two others before the rostra in the forum, which being a much more conspicuous (*clarior*) site than where the royal statues were placed, ought to excite odium still more, if odium there were. Respecting the erection of these and other statues to Cæsar, see Dion Cass. 44, 23.

6. Enim. The turn is ironical = *non* valde invidendum est.—*Tropæis.* Quæ majorem illi laudem afferunt, quum una statua.—*Invidimus.* Soldan and Madvig: *invidemus.*

7. Nam si locus. *Nam* here = deinde. "Again if the place, &c." Eludit magis, quam confutat objectionem, per fallaciam, ut loquuntur, accidentis. Non enim invidebatur illi statuæ, quod esset claro et omnibus conspicuo loco posita, sed quod inter reges. At orator ita refellit, quasi propter solam loci claritatem statua Cæsaris in invidiam vocaretur. Benecke and Klotz: *nullus locus est*, &c.

8. De plausu. His answer is threefold: 1. You never courted popular applause, therefore no wonder if it is not bestowed; 2. Men's minds were so astounded by your exploits that they were incapable of raising their voice; 3. The people omitted it, because it was trite and unworthy of you.

CH. XIII.—**13. Nihil, &c.** Before so consummate a rhetorician as Cæsar, it was useless to have recourse to the ordinary rules, one of which is to conceal every appearance of art. Cicero, therefore, affects to make a display of art to conceal it more effectually.

14. Extremam . . . . partem. The peroration, the fittest place for discussing the most important point.—*Id autem aliquid.* Compare *p. Lig.* 7, 22: *is tamen aliquis Ligarius non fuit.* So Terent. *Andr.* 2, 1, 14: *Id aliquid nihil est.* Cicero, wishing to reconcile the parties, has first to show that there is no cause for resentment on either side. With regard to Cæsar, he assumes that what he has urged is enough to allay his angry feelings (*non . . . . metuo, ne illi tu succenseas*); it remained to show that he had no grounds to *suspect* that any such were harbored by Deiotarus. His reasons are: 1. Deiotarus is sensible that what he lost he deserved to lose, nay, that Cæsar was compelled to make the vanquished assist him in rewarding his brave associates, and to this no reasonable man could object. And if Antiochus the Great bore similar treatment with equanimity, much more should a petty sovereign like Deiotarus. Besides, he had the support

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94 derivable from the consciousness of suffering for an involuntary error, not so Antiochus. 2. He owed to Cæsar's generosity what he retained, his hereditary dominions and regal title, which latter was to him every thing. 3. He had two sources of consolation left, of which he could not be deprived; the decrees of the Roman generals and senate in his favor, and the consciousness of his own virtue. These he illustrates in § 37. 4. He has a letter from Cæsar himself encouraging him to hope for the best, ch. 14, by which he was greatly cheered and inspired. All this shows that Deiotarus is fully sensible of his obligations to Cæsar, and is therefore deserving of being received into his friendship.

16. Metuo, ne ..... vereor, ne. Z. 533.—*Illud vereor.* Z. 748.

17. Succensere aliquid. Z. 385.—*Mihi crede.* *P. C.* p. 259, 111; Z. 801, in fin.

18. Quid enim retineat. His life, name of king, and part of Galatia.—*Quid amiserit.* Armenia and the tetrarchy of the Trocmi.

20. Multis tibi multa esse tribuenda. Z. 651. Dion Cass. 43, 47, relates that Cæsar chose fourteen prætors, forty quæstors, and increased the number of senators to nine hundred. *Πολλοῖς γὰρ δὴ πολλὰ ὑπεσχημένος οὐκ εἶχεν ὅπως σφᾶς ἄλλως ἀμείψεται.*—*Quominus .... sumeres, non recusavit.* Z. 543.

22. Antiochus. The third, king of Syria. He was first beaten, A. U. C. 563, at Thermopylæ by Acilius Glabrio, and soon after, 564, completely conquered by L. Scipio Asiaticus on Mount Sipylus, near Magnesia, in Asia, and deprived of all his dominions west of Mount Taurus. Cf. *p. Sest.* 27, 58.—*Posteaquam ... jussus esset.* Z. 507, in fin. Benecke and Madvig read: *quum, posteaquam .... devictus est, Tauro tenus,* &c. Klotz: *quum posteaquam ..... devictus, Tauro,* &c.

23. L. Scipione. The brother of Africanus Major, who was his lieutenant in this war.

24. Quæ est nunc nostra provincia. This portion of Asia, after the defeat of Antiochus, the Romans had given to Attalus, after whose death it fell by his will to the Romans.

26. Nimis magna procuratione. The care of too extensive dominions. If Antiochus so consoled himself for such losses, *a fortiori* may Deiotarus; for the one madly attacked the Roman people at the instigation of Hannibal and the Ætolians, the latter followed Pompey, as deeming his cause the better. Deiotarus therefore has innocence on his side. For *esse factum*, Benecke, Klotz, and Madvig read *factum esse.*

28. Multam sustulerat = pœnam dederat. Benecke, Klotz, and Soldan read *sustinuerat*, which is the reading of many MSS. Madvig and Orelli adopt *sustulerat* from *Cod. Col.*, and Madvig re-

fers to the similar phrase in *de Nat. Deor.* 3, 33, 82. See Z. 213, *Note.*

29. Quum .... concessisti. See note on p. 69, line 40.

33. Ne fortunæ quidem. Because he possesses many things over which fortune has no control, the decrees of your generals, the votes of the senate, he is able to defy her power.

34. Peperisse. Klotz: *reperisse;* which Frotscher approves, citing Terent. *Heaut.* 1, 1, 59; and referring to Kritz ad Sall. *Jug.* 70, § 2, p. 374, sq.

35. Habere in animo atque virtute. *Habere in virtute*, which is an unusual expression, is softened here by being joined to *habere in animo*, which is a common expression. Hæc duo conjungit, ut et velle eum res magnas, et præstare posse significet. The *bona animi* as opposed to the *bona corporis*, or external good, are here understood.

36. Quis casus. Z. 134, *Note.*

37. Omnium imperatorum. Cf. *Phil.* 11, 13, 33; where in this connection, Sulla Murena, Servilius, Lucullus, and Pompey are mentioned.

38. Ab omnibus est enim iis ornatus. Benecke, Soldan, and Madvig: *ab omnibus enim est ornatus;* Klotz: *ab omnibus enim ornatus est.*

40. Senatus vero judicia, &c. Such decrees of the senate were kept in the public archives in the capitol, and the assembled people gave its sanction to them.

42. Quæ unquam vetustas obruet, &c.? Temporis vetustas, hominum oblivio.

1. Quæ. Z. 372.—*Omnes docti.* The Peripatetics and Stoics. Cicero adds in explanation *sapientes*, which very often = philosophers. —*Summa.* Plato, Aristotle, and others, divided *good* into pleasure, utility, and virtue; and called virtue *chief*, in comparison of the others; but the Stoics, denying that any thing had a right to come into comparison with virtue, declared it the *sole good.* Cf. *p. Marcel.* 6.

2. Hisque. And that, with these (in the opinion of the Stoics) virtue is well content, &c.—*Non modo ad bene*, for this they all confess.—*Sed etiam ad beate*, i. e. jucunde et feliciter, and this the Peripatetics deny. See *Tusc. Disp. lib.* 5.

7. Acceptam refert. Sets down to the account of your clemency; a metaphor from keeping accounts.

Ch. XIV.—**8. Quo quidem animo.** As above, ch. 13, *magno et erecto*, a mind fortified by reflecting on what fortune had left as well as taken away, and on its own virtues.—*Quum .... tum.* See note on p. 85, line 1.

9. Quarum exemplum. A copy of which, namely, the one which you, &c.

10. Tarracone. A city of Hispania Tarraconensis, from which

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95 the district was so named. After the subjugation of the Pompeys, Cæsar appears to have given audience there to the ambassadors of the several states, and among them to Blesamius, who had been sent thither by Deiotarus to adjust his interests with Cæsar.—*Huic Blesamio.* Who is now present, waiting the issue of this trial. Cicero here intends to remind Cæsar of his promise.

11. Jubes enim bene. So Klotz. Benecke and Madvig: *jubes enim eum bene,* &c.

13. Memini .... scribere. Compare *p. Lig.* 3, 7; and see Z. 589.

14. Meque .... esse jussum. Z. 607.

15. Laboro equidem. But knowing *causas rogantium apud te gratiosiores esse quam preces, p. Lig.* 11, I shall tell you my reasons for being interested for Deiotarus. Observe that below, *laboro* takes the preposition *de.* See Z. 452.—*Quocum,* &c. Cicero takes the highest ground; "I loved him because he was the friend of my country." Then follow the steps to *summa necessitudo.*

16. Voluntas utrisque. For *hospitium* was often a matter of form, or the *inclination* was all on one side. Not so here.

18. Officia. While Cicero was proconsul of Cilicia.—*Et in me.* Benecke, Klotz, Soldan, and Madvig omit *et.*

19. Sed quum de illo. Cicero wishes to set the cause on the widest foundation. The question is one of general interest: "If after what is past, you still harbor resentment against Deiotarus, the same may be expected by all who owe their life to your clemency, and doubts and fears take possession of their minds. Let them know, then, that once pardoned they are still pardoned.

20. Quibus. Z. 412.—*Semel.* Once for all. See ch. 3, § 9: *semel exorari.*

23. Quisquam te timere, &c. So Madvig. Benecke and Klotz omit *te.* Soldan: *accedere, ut quisquam te timere ... qui sunt,* &c.

24. Non debeo. Cicero, affecting to reject any appeal to the clemency of Cæsar, makes a strong appeal.

25. Ecquonam. On the force of *ec* in this compound, see Z. 351; and on *nam,* Z. 134.

27. Solet ipsa. Is wont of itself to come to the aid of the wretched; non exspectat, dum rogetur.—*Nullius.* Z. 676.

28. Duos reges. The father and son.

29. Dabis profecto misericordiæ. Klotz and Soldan: *dabis profecto id misericordiæ.*

30. Iracundiæ denegavisti. Quum antea Deiotarum, licet iratus, tamen perdere nolles. Benecke; who rejects the explanation of Heumann: iracundiam illorum, qui reum Deiotarum fecerunt. Benecke and Klotz: *monumenta clementiæ tuæ.* So also Soldan, who further gives *sed maxime eorum incolumitatis,* &c.

31. Incolumitates. Z. 92.

32. In privatis, i. e. in privatos collata atque ita in iis conspicua, so in the next line *in regibus*. See note on p. 88, line 37.

34. Sanctum. For kings were thought to be under the protection of the gods.—*Sociorum* .... *regum* .... *sanctissimum*. This might be designed by Cicero as hinting to Cæsar, that his present titles might satisfy himself. This oration was delivered late in the year 709. In the following February, Mark Antony offered Cæsar the diadem.

Ch. XV.—**37. Posteris ..... tradituros.** Deiotarus died, according to Dion Cass. 48, 33, A. U. C. 714, but without leaving his dominions to his son. Castor succeeded him in Galatia, which was afterwards bestowed by Antony on Amyntas. After his death it was made, in connection with Lycaonia, a province, which was subsequently enlarged by the addition of Paphlagonia and a part of Phrygia. The account given in the introduction, p. 311, follows Smith's *Dict. of Greek and Roman Biog.* &c.

38. Corpora. Either as sureties, or to suffer any punishment awarded against their master. Klotz omits *esse* before *confido*.

42. Regum amicissimi. Matthiæ and Benecke, with Ernesti, take *amicissimi* and *probati* in the nominative, and explain *regum* of Deiotarus and his family (Benecke, Deiotarus and his son, as in § 40), just as Brutus is said to have expelled the *kings* of Rome. Weiske objected to this explanation, and taking *regum* as = inter reges, he considers *amicissimi* and *probati* as genitives. By this view, Dorylaus est legatus amicissimi regum sive regis præter ceteros addicti fide erga populum Romanum. This king, Weiske supposes, may have been Ariobarzanes, the sovereign of Cappadocia.

43. Exquire de Blesamio. As the weight of the prosecution lay in the testimony of Phidippus, Cicero wished to conclude with impressing on the mind of Cæsar the opposing testimonies of men of integrity. Above, ch. 12, the charge against Blesamius is given and refuted.

1. Criminibus illis ..... se supponit. Substituit. Möbius takes *criminibus illis* for datives after *supponit* as = illis regem criminantibus, accusantibus; Benecke for ablatives = in those accusations.

2. Memoriam .... qua vales. Cf. *p. Lig.* 12, 35: *qui oblivisci nihil soles, nisi injurias; Phil.* 2, 45, 116: *Fuit in illo ingenium, ratio, memoria, &c.* Seneca, *de Benefic.* 5, 24, tells a pleasing story of Cæsar's memory.

4. Pedem. Z. 395. As Hieras never left you, he is therefore qualified to decide on the truth of the charge. He attended you both during your stay in the palace, and the next day at Luceium. As none of the attempts charged could have been made without his privity, he calls on you to deem them, if any there were, to have been

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96 his, and try him accordingly.—*Finibus*. Deiotarus had waited on Cæsar on the *borders* of Galatia, and was then accompanied by Hieras

5. Balneo. See ch. 6. The bath preceded the supper, and so it was intended should the inspection of the gifts; but Cæsar refusing to go, it was put off till *after* supper. Hence *cœnatus*.

8. Postridie. The day of the castle and bedchamber scene, ch. 6.

13. Quorum alterum. The former of which, it is of a piece with the cruelty of the accusers to wish for; the latter, the part of your clemency to preserve inviolate.—*Illorum*. Castor and Phidippus.

THE ORATION FOR THE POET ARCHIAS.

INTRODUCTION.

A. Licinius Archias, born and educated at Antioch in Syria, a city renowned for the cultivation of Greek art and learning, acquired at a very early age a considerable reputation as a poet. He had scarcely grown out of the age of boyhood, when, according to the fashion of the time, he went out on a journey, the object of which was to improve himself and increase his knowledge. He travelled through Asia Minor and Greece, and thence to Southern Italy, where he visited the towns of Tarentum, Locri, Rhegium, and Naples. His talent was everywhere recognised and appreciated, and the above-mentioned towns attested their estimation by honoring him with the franchise. In A. U. C. 652, in the consulship of C. Marius and Q. Lutatius Catulus, Archias came to Rome; he was received into the first families of the city, and enjoyed the particular hospitality of the Luculli, in honor of which family Archias also assumed its gentile name Licinius. As Cicero calls him his instructor, it would seem that Archias, besides his poetical occupations, also engaged at that time in instructing young Romans. Some years later he accompanied L. Lucullus on a journey to Sicily, and on their return they passed through Heraclia in Lucania. There, too, he was, through the mediation of Lucullus, honored with the franchise; and this was the more valuable to him, as that town was in a nearly equal legal relation to, and alliance with, Rome, and as Archias seems to have determined to spend the remainder of his life at Rome. In A. U. C. 665, the tribunes, M. Plautius Silvanus and C. Papirius Carbo, brought forward a bill (*lex Plautia Papiria*) by which the franchise was conferred upon all those who were enrolled as citizens in an allied town, provided they had a domicile in Italy at the time of the passing of the law, and gave in their name to the prætor within sixty days. Archias fulfilled these conditions, and gave in his name for registration to the prætor Q. Metellus. But in A. U. C. 689, a law was passed (*lex Papia*), enacting that all *peregrini*, or strangers, should be expelled from Rome, and that the *Socii Latini* (who were not Roman citizens) should be sent away to their native places. On that occasion a certain Gratius, who may have been induced by hatred, or avarice, or by enmity against Lucullus, came forward, asserting that Archias was a *peregrinus*, and had illegally assumed the name of a Roman citizen. Archias was unable to bring forward any evidence of his franchise, for the archives of Heraclia had been destroyed by fire. During his long stay at Rome, moreover, he had never entered his name as a citizen in the census lists. Cicero now undertook the defence of his old teacher and friend; not, indeed, with a strict legal argumentation, for the proofs were wanting, but he sets up the dignity of the accused, the affection he had met with everywhere, and his services to literature and art, as so many proofs of the truth of his assertion that he was in lawful possession of the Roman franchise; nay, Cicero maintains that if Archias were not already a Roman citizen, his life and merits made it a duty for Rome to admit him among the number of her citizens, in order to secure a man of such eminence to the commonwealth. Such a defence, which

Cicero sought in the personal character of the accused, and laid before the judges, who could not well sacrifice the cause of learning and humanity to such an accusation—such a defence could not so much urge the legal points at issue, for which, as we have already observed, the documents were wanting, as set forth the praise of varied acquirements, and of a life devoted to the cultivation of the beautiful And it is this very praise of the *humaniora* that makes this speech a useful, agreeable, and inciting study to young readers; though it must not be left unnoticed, that some critics consider it as spurious, and unworthy of Cicero; and the ancients themselves regard it as less excellent than other orations. Respecting the result of the speech, which was delivered in A. U. C. 692, before Q. Cicero, who was then prætor urbanus, nothing is known, and the remaining period of Archias's life is buried in utter obscurity. To judge from the few specimens of his poetry which have come down to us, it appears that he did not possess so very great a poetical talent as Cicero describes it in his oration; and it is probable that Archias, who was intimate with so many Roman families, was more particularly skilled in making verses upon the passing events of the day, and also, as some believe, knew how to make himself agreeable by improvisation, or extempore composition of verses. —*From Schmitz's Cicero in Chambers's Educational Course.*

ANALYSIS.

1. The introduction gives the reason which decided the orator to defend the poet, and at the same time contains his apology for speaking of the advantages of letters in a trial at law. (Chaps. 1, 2, § 3.)
2. The leading proposition states the two points of his defence: that Archias, who was already a Roman citizen, should not only not be deprived of his franchise, but, even if he were not a citizen, the franchise should be conferred upon him. (Ch. 2, § 4.)
3. A description follows of the origin, acquired fame, and travels of the poet; showing, that, as he came to Rome from these travels in Asia Minor, Greece, and Italy, the most distinguished men and families honored him with their friendship and society, and that Lucullus aided him to obtain the Roman franchise. (§ 4–ch. 4, § 7.)
4. Cicero next proceeds to the two points of his defence, and refutes (*a*) the grounds upon which the accuser had proceeded against Archias, and establishes Archias's Roman citizenship, since he had been a citizen in Heraclia, an allied town, and accordingly by the law of Silvanus and Carbo had been received in Rome as a citizen, he having long before had a domicile in Rome, and given in his name to the prætor within 60 days, and having moreover exercised the rights of Roman citizens; at the same time the charge of the accuser, that Archias was not enrolled in the census lists, is set aside. (§ 8–ch. 6.) (*b*) In order to show that Archias was worthy of Roman citizenship, he first speaks of the advantages of letters, and especially of poetry (ch. 6, § 13–ch. 7, § 16): he then describes the eminent poetic talent of Archias, and shows by examples how highly poets were esteemed by antiquity; he then enlarges upon the merit of Archias and his claims upon the Roman people acquired by his celebration in verse of the deeds of eminent Romans, and by his contribution in this way to the glory of the Roman name, and mentions many great men who, from their love of glory,

had honored poets and authors. Finally, he confesses that he too on his own account must wish for the safety of Archias, since Archias has promised to sing the praises of his consulship. (Ch. 7, § 18-ch. 12, § 30.)

5. In conclusion, he commends the poet to the protection of his judges, and craves their indulgence for having enlarged, more than is usual in a forensic argument, upon the talent of Archias and upon the merits of literature in general. (Ch. 12, § 31.)

CH. I.—**1. Ingenii.** Natural talent as an orator (φύσις); *exercitatio*, practice (ἄσκησις). Cicero expresses the simple thought *si quid eloquentia valeo*, by an enumeration of the three chief requisites for forming an orator; *ingenium, exercitatio, ratio.* Cf. *de Orat.* 1, 25, sqq. Quinctil. 11, 1, 19, directs attention to the modesty of this passage. Cf. *ad Fam.* 9, 18.—*Quod sentio quam sit exiguum.* Stürenburg remarks that the usual order would be *quod quam sit exiguum sentio*, e. g. *qui ordo quanto adjumento sit in honore, quis nescit? Planc.* 9, 23: *Quæ quanta fuerit, jam mihi dicere non est necesse. Sest.* 29, 62. Of this order, (that is, of the governing verb being placed *after* the dependent interrogative clause, when there is also a *relative* pronoun introducing the governing verb,) he gives a very large body of examples. Of passages where the dependent relative clause *follows* the verb, he gives a few: e. g. *Verr.* 5, 7, 15: *quod nuper ipse juratus docuit quemadmodum gestum esset.* But he observes that the position in the passage before us gives the principal emphasis to *sentio*, and a secondary but considerable emphasis to *exiguum: quod sentio quam sit exiguum.* Nauck, however, thinks the principal emphasis belongs to *quam sit exiguum*, and that, to give this emphasis, the usual order is abandoned. The order of *quam sit exiguum* in oblique narration, i. e. of the *sit, sint,* &c., immediately following the *quam*, or other relative, and preceding the predicate, is the regular order in Cicero. *Videsne, quam sit magna dissensio: considerate nunc, cetera quam sint provisa sapienter,* &c.

2. In qua me, &c. A regular hexameter: *in qua me non infitior mediocriter esse.*

3. Si .... aliqua. See note on p. 45, line 15.—*Hujusce rei,* sc. eloquence.

4. Ratio. Art, theoretical knowledge, theory (μάθησις). Doctrina sive institutio, quatenus certa via ac ratione instituitur. *Facultas orandi consummatur natura, arte, exercitatione.* Quinct. 3, 5, 1. But here *exercitatio* = *facultas, quam quis exercendo sibi parat* (the *readiness* acquired by practice). Cf. 3 *Cat.* 5, 11: *ita eum non modo ingenium illud, et dicendi exercitatio, qua semper valuit, sed etiam,* &c.

6. Vel in primis. "Particularly," because Archias had given instruction to Cicero in his youth. This form occurs in but one other passage in Cicero: *Nec absurde Crantor ille, qui in nostra Academia*

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97 *vel in primis fuit nobilis. Tusc.* 3, 6, 12. S., who says that he knows of no instance in any other writer.—*A. Licinius.* It was customary for foreigners, on receiving the franchise, to take the prænomen and nomen of the individual by whose favor they had received it. Manutius supposes that Archias assumed the prænomen Aulus from Marcus Lucullus, the brother of Lucius, whose prænomen, before his adoption by M. Terentius Varro, he supposes to have been Aulus. The omission of his foreign name may be regarded as intentional. By giving him his Roman name only, the orator recognises his rightful claim to Roman citizenship.

7. Repetere prope suo jure. *Repetere* = *petere tanquam sibi debitum.* Archias has a right to claim that I should employ for his good that which I have learned from him. Klotz: *petere.*—*Prope suo jure.* See note on p. 64, line 5. The *prope* softens the *suo jure*, which would be an exaggerated statement. Others take it, less correctly, with *repetere.* S. (in his second edition), who compares *meo jure quodammodo vindicare. De Off.* 1, 1, 2.

9. Memoriam recordari. S. compares *de Orat.* 1, 2, 4: *ac mihi repetenda est veteris cujusdam memoriæ non sane satis explicata recordatio, sed, &c.*—*Ultimam* = *ab hac ætate remotissimam.* The earliest recollection.

10. Inde usque repetens, sc. *rerum ordinem. Repetere* is used *absolutely* in this way, *de Orat.* 1, 20, 91: *neminem scriptorem artis ne mediocriter quidem disertum fuisse dicebat, quum repeteret usque a Corace nescio quo et Tisia. Tusc.* 1, 48, 116: *claræ vero mortes pro patria oppetitæ non solum gloriosæ rhetoribus sed etiam beatæ videri solent; repetunt ab Erechtheo.*—*Inde usque* (ἐντεῦθεν ἀρξάμενος) marks a *continuous* progress from the distant point mentioned, *quite up to* the moment present to the speaker. These words, according to S., are found nowhere else in Cicero, and never in any other writer. But, as he observes, there is no reason why they should *not be.*—He thinks it is an *imitation* of Isocrates's ἐντεῦθεν ἀρξάμενος, which M. compares with it.—*Principem* = auctorem, magistrum.—*Suscipiendam .... ingrediendam.* "*Suscipiendam* pertinet ad *consilium* discendi artes dicendi; *ingrediendam* ad *actum* discendi. Illuc spectat mox *hortatu,* huc *præceptis.*" Ernesti. S. compares the similar opposition between *suscipere* and *instituere;* e. g. *susceptarum rerum et jam institutarum. Ad Fam.* 5, 12, 2.

11. Rationem = viam, modum.—*Horum studiorum.* Not eloquence only, but the *studia humanitatis* in general. Cf. § 2.

12. Hortatu. This word occurs in the ablative only, in the golden age. Tacitus has nominative plural *non vox et mutui hortatus juvabant. Ann.* 1, 70, m. In Cicero it occurs but once more: *id feci aliorum consilio, hortatu, auctoritate; ad Fam.* 13, 29, 7. Stürenburg.

14. Quo ceteris opitulari .... possemus, sc. whenever an opportunity should offer itself. Benecke: *possumus.*

15. Et opem et salutem. *Fin.* 2, 35, 118: *quum opem indigentibus salutemque ferres. Verr.* 5, 57, 147: *quæ sæpe multis in ultimis terris opem inter barbaros et salutem tulit.* S.

16. Ita = tam graviter, so emphatically.

17. Quod alia quædam in hoc facultas ... neque hæc. Because Archias was a poet, and not an orator. The usual negative particle in an opposition of this sort would be *non.* Hand says that, when *neque* is used, it is no longer a direct opposition, and the whole expression of the thought is weakened.

18. Ne nos quidem. On the ellipsis of the implied idea, "let me tell you," see Z. 772.—*Huic uni.* The MSS. give *huic cuncti studio,* &c., which Klotz and Nauck retain and defend. *Uni* is a conjecture of Lambinus, and adopted by most editors. Stürenburg and Benecke: *huicce uni.*

19. Studio, sc. dicendi s. eloquentiæ.—*Penitus,* exclusively, or without regard to other pursuits and means of developing the mind.—*Omnes artes,* e. g. poetry, eloquence, philosophy, history, mathematics, &c.: the studies that are pursued, *οὐκ ἐπὶ τέχνῃ, ἀλλ' ἐπὶ παιδείᾳ,* as Plato and Aristotle speak.

20. Quæ ad humanitatem pertinent. Which make man a man in the true sense of the word. Gellius, 13, 16, speaking of the old and true Latin meaning of *humanitas,* says: "*Humanitatem appellaverunt id propemodum quod Græci παιδείαν vocant; nos eruditionem institutionemque in bonas artes dicimus.*—*Quoddam.* Z. 707.

21. Et quasi ..... quadam, &c. Cicero *often* uses *quasi quidam,* and *not uncommonly quidam quasi:* he also uses *et quasi quidam,* and *once* only *et quidam quasi;* but never *atque* (*ac*) *quasi quidam,* nor indeed ever *atque* (*ac*) *quasi* or *tanquam,* which would give *prominence* and *emphasis* to the very notion which *is softened* by the *quasi.* In the order, *et quasi quidam,* the substantive is sometimes interposed between *quasi* and *quidam*: *bene constitutæ civitatis quasi alumna quædam eloquentia; Brut.* 12, 45: an adjective sometimes precedes the *quidam: et puro quasi quodam et candido genere dicendi. Orat.* 16, 53. S.

Ch. II.—**23. In quæstione legitima** = "legibus constituta, non ab otiosis hominibus doctis proposita." Benecke supposes the lex Mucia Licinia of 659, and the lex Papia of 689, are here meant.

24. In judicio publico. *Judicium publicum* stands opposed to *judicium privatum,* and is a trial in which the interest of the state is involved, in which a state offence is charged.—*Agatur.* Klotz: *agitatur.*

25. Apud prætorem populi Romani. *C. Virgilius* (according to Ilgen), *C. Octavius* (according to Schütz). But the scholiast dis-

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97 covered by Mai informs us that the prætor here meant was Q. Cicero, the brother of the orator. The addition *populi Romani* to the title *prætor* is generally unnecessary, but here it is emphatical.—*Rectissimum virum* = "virum, qui nec ipse discedit unquam de ea via, quam mores ac leges præscribunt, nec facile patitur alios tale quicquam committere." S. Cf. *unus L. Cæsar firmus est et rectus; Fam.* 12, 5, 2. Its meaning is *correct, consistent.* Madvig and Nauck: *lectissimum.*

26. Judices. Ever since the lex Aurelia of the year A. U. C. 684, the judices consisted of senators, equites, and tribuni ærarii (plebeians).

98 **1. Hoc uti genere dicendi, quod . . . abhorreat.** *Hic* here = "*a*" = "*such* a." *Hic qui* is used for *is qui*, when the thing spoken of is *present.* Here it is the style he is *now* going to adopt.—*Non modo . . . . verum etiam. Verum* (for *sed*) *etiam* is nearly peculiar to Cicero; not being found in Cæsar, Corn. Nepos, Livy, or Tacitus; nor in the *Auctor ad Herennium.* It is found now and then in letters of *Cicero's correspondents*, and *twice* in Sallust. Stürenburg; whose calculation of the comparative frequency of *sed etiam* and *verum etiam* is as follows: After *non modo*, &c.,—

In the *Orat.*	*p.*	*Archia,*	*sed etiam*	occurs	2,	*verum etiam,*	7
"	"	*Balbo,*	"	"	6,	" "	0
"	"	*Planc.,*	"	"	10,	" "	1
"	"	*Sest.,*	"	"	15,	" "	1
"	"	*L. Manil.,*	"	"	12,	" "	0
"		*Brut.,*	"	"	21,	" "	2
To which Haase adds	*p.*	*Sull.*	"	"	15,	" "	5

So that *sed etiam* is the more common form; at least in Cicero's Orations.

2. A forensi sermone abhorreat. It being unusual in judicial transactions and speeches to treat of literature and art.

3. Quæso a vobis, &c. Weiske and Matthiæ criticise § 3, because the protasis and apodosis make the same statement; e. g. *Sed ne cui mirum videatur, me uti hoc genere dicendi, quæso a vobis, ut me patiamini uti novo genere dicendi;* and because many unnecessary repetitions are introduced.

7. Hoc denique prætore. The brother of the orator, himself an epic and tragic poet. Cf. *ad Q. Frat.* 3, 6, 9.

9. Liberius. Schröter maintains that *libere loqui* = (necessarily), "sine metu offensæ aut periculi loqui;" but Cicero *uses* it elsewhere in the sense of *at length, copiously, fully,* &c. *Quæ fuse olim disputabantur ac libere,* opposed to *articulatim distincteque dici. Legg.* 1, 13, 36: *ne ornatius quidem aut liberius causam dici suam quam,* &c. *De Orat.* 1, 53, 229. S.—*In ejusmodi persona, quæ . . . . est.* "In the case of such a person," sc. as Archias is. Otherwise *persona* is the mask worn by an actor, or the part which he per-

forms. The *indicative* after *ejusmodi* = *such*, makes the statement *definite*, (whereas the subj. would describe it *indefinitely* as belonging to a *class*.) Cf. *Verr.* 4, 32, 71: *in ejusmodi conviviis, quæ .... flagrabunt.*

10. Periculis = "*judiciis*, quia in iis reus periculum adit, ne condemnetur. *Fam.* 5, 17: *in ejus judicio ac periculo.*—*Tractata est*, "which otherwise is not brought forward," or, as it were, "acted," and does not show itself at trials and in courts of law, its life being devoted to the quiet pursuit of art and literature. *Tractare personam* is properly said of an *actor*. Cf. *pro Rosc. Com.* 7, 20; *Off.* 3, 29, 106. Matthiæ says: "Fortasse eo etiam respexit, quod poetæ, rerum civilium fere rudes atque ignari, easque adeo refugientes, si quando in vitæ communis lucem protracti vel in judicium adducti sunt, in sole caligantes magis aliis se regendos, moderandos, *tractandos* præbent, quam ipsi *versantur*. Aliter Quinctil. 4, 1, 13: *ipsius autem litigatoris persona tractanda varie est*, nimirum ab oratore."

15. Adsciscendum. Klotz, Stürenburg, Madvig, and Nauck: *adsciscendum fuisse.*

Ch. III.—**16. Ut primum ex pueris excessit.** This happened in Greece in his fifteenth year. Cicero had probably in his mind Terence's *Nam is postquam excessit ex ephebis*, *Andr.* 1, 1, 24; for the mode of expression is properly Greek, not Latin; and Cicero praises the passage of Terence, *de Or.* 2, 80, 327. S.

17. Ad inhumanitatem informari. A very young person is properly said *informari by another;* an older one, whose mind is no longer a *tabula rasa*, and who assists (at least) in forming his own mind, *conformari:* "is rem *conformat* qui illi meliorem etiam formam dat, quam qui prius eam *informaverat*." S. Thus *Auct. ad Herenn.* 4, 22: *Alexander Macedo summo labore animum ad virtutem a pueritia conformavit. Ad humanitatem informari* is found only here: *ad humanitatem fingi*, once also *de Orat.* 3, 15, 58. From S.

18. Scribendi studium. Cf. Terent. *Andr. Prol.* 1: *Poeta quum primum animum ad scribendum appulit.*—*Antiochiæ .... urbe*, &c. *Urbs*, in apposition to the name of a town, stands in the abl.; never *urbis*. Z. 399.

19. Loco nobili = *nobili genere:* as *honesto loco natus*, &c.—*Celebri*, not *celebrated*, but that was *much visited.*

20. Copiosa = opulenta.

21. Antecellere .... contigit. The usual construction is *contigit alicui ut antecelleret*, &c.; but Horace has *Fingere cinctutis non exaudita Cethegis continget: non cuivis homini contingit adire Corinthum*, &c. Virg. *quis* (= *quibus*) *ante ora patrum Trojæ sub mœnibus altis Contigit oppetere; Æn.* 1, 95 (so 6, 108; 9, 267). The *infinitive* gives less prominence and *definiteness* to the consequence. It occurs with the infin. once in Vell. and once in Tacitus. S.

Page 98 See Z. 622; and on the construction of *antecellere*, Z. 387, in fin. and 417.

22. Cunctaque Græcia. Klotz, Stürenburg, and Nauck: *cunctæque Græciæ.—Adventus.* Z. 92.

23. Ut famam .... superaret. His arrival was so much talked of, that the expectation of the man and the desire to see him surpassed the reputation of his talents, whereas his arrival and the admiration shown to him surpassed even the expectation with which his arrival had been looked for. Cf. C. (ap. Macrob. *Sat.* vi. 2) of Cato: *Contingebat in eo, quod plerisque contra solet, ut majora omnia re quam fama viderentur; id quod non sæpe evenit, ut exspectatio a cognitione, aures ab oculis vincerentur.*

25. Italia ... et in Latio. *Italia* (= *the country of the Itali*) is here = *Magna Græcia.* "That name [Italia], in very early times was a *national one in the south*, and was not extended to the more northerly regions until the Roman sway had united the Peninsula into one state. The latter [*Theophrastus*] continues to make a distinction between *Latium* and *Italia* in his *History of Plants.*" Niebuhr. It was especially after the Punic wars that Greek civilization began to be introduced into Italy.

27. Propter tranquillitatem rei publicæ. The seditious attempts of Saturninus had been suppressed, A. U. C. 654, and the *Social* war did not break out till A. U. C. 664.

28. Non negligebantur. Z. 754. The expression is, of course, less strong than *colebantur.* So 3 *Orat.* 11, 43: *Nostri* [= *hic Romæ*] *minus student litteris, quam Latini.—Tarentini et Rhegini et Neapolitani.* These states, on account of their very origin, must have been favorably disposed towards the Greek poet, and endeavored to honor him with their best presents—namely, the franchise. *Rhegium* and *Neapolis* were then only *confederate* towns; they were made *municipal* towns by the *lex Julia* in the first year of the Social war. But it is urged that *Tarentum* could not have been only a confederate town, since a colony was settled there, A. U. C. 631. Vell. 1, 15. Orelli seems to think the *Tarentini veteres* (as distinct from the *Coloni Tarentini*) are meant. "The orator knew well enough that the facts here mentioned did not avail Archias in a legal point of view; he is only paving the way, as it were, for the fact of his receiving the freedom of the city at Heraclia. Thus the Scholia Bobiensia: *Utiliter præparavit ad causam, jam pridem hunc Archiam poeticæ facilitatis gratia celebrem a plurimis Italiæ nobilissimis populis in numerum civium cooptatum. Quod nimirum argumento esse debeat, etiam Heracliensibus nuper adscriptum, robustiorem jam fama et ingenii dignitate majorem.*" K.

30. Aliquid is here put with some degree of emphasis; all, who were able to form some accurate judgment of men of talent.

31. Cognitione. Here of personal acquaintance, more commonly of knowledge of things only.

32. Celebritate famæ. See Z. 672.

33. Mario consule et Catulo, A. U. C. 652, in the fourth consulship of Marius. The *usual* order is *Mario et Catulo Coss.;* but a similar instance occurs in *Brut.* 96, 328: *Ille a Crasso consule et Scævola usque ad Paullum et Marcellum . . . floruit.* See Z. 790.—*Consules eos, quorum alter . . . posset.* Why subj.? *Quorum alter,* i. e. *Marius,* who had conquered Jugurtha, and the *Teutones* and *Cimbri.*

35. Res gestas = *Cimbricam victoriam.* Cf. *Tusc.* 5, 19, 56: *C. Marius tum quum Cimbricæ victoriæ gloriam cum collega Catulo communicavit, pæne altero Lælio (nam hunc illi duco simillimum),* &c.—*Studium atque aures adhibere posset. Studium* is *interest* in literary works, &c., though Catulus *did* both write a history and some poems (*Brut.* 35): *aures* is not *attention,* but the *critical ear, correct literary taste. De Off.* 1, 37, 133: *Catuli exquisito judicio utebantur literarum.* Observe that *adhibere* is only suited to *studium* and *aures;* whereas *res gestas* would require such a verb as *suppeditare* (to *supply*). This is called *Zeugma.* Cf. Tac. *Ann.* 14 53: *Ego quid aliud munificentiæ tuæ adhibere potui, quam studia, ut sic dixerim, in umbra educata?* S.

36. Luculli, i. e. L. Licinius Lucullus, the conqueror of Mithridates, and a man of great learning; and M. Licinius Lucullus, who gained a triumph over the Thracians and Macedonians, A. U. C. 684.—*Prætextatus.* He speaks of Archias as if he were a Roman: for, being a Greek, he was not allowed to wear the *prætexta. Prætextatus,* therefore, = "eadem ætate, qua *nostri* prætextati, id est annorum fere XVI." The *toga prætexta* was worn (with the *bulla*) by Roman children, and put off when they assumed the *toga virilis.* Matthiæ points out the inconsistency between this and the assertion, that he already *ex pueris excesserat* even at Antioch.

37. Domum suam receperunt. So *Verr.* 1, 26, 65, we have *Homo, qui semper hospitalissimus amicissimusque nostrorum hominum existimatus esset, noluit videri ipsum illum Rubrium invitus domum suam recepisse* (without *in*). Others (e. g. Stürenburg) read *in domum suam receperunt,* by which the reception is represented as more intimate and familiar.—*Sed etiam hoc,* &c. This passage Orelli regards as corrupt. The orator lays stress on the fact, as being greatly to the credit of Archias, that the house which was the first to receive him in his youth, was also the most friendly to him in his old age. Stürenburg reads: *Sed est jam hoc . . . . prima fuerit, eadem,* &c. Van Heusde proposes: *Sed hæc non solum ingenii ac literarum, verum etiam naturæ atque virtutis vis fuit, ut,* &c.

38. Hoc . . . . ut . . . . esset. The more usual *explicative* of *hoc*

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98 is *quod*. Matthiæ observes, that wherever *ut* is so used, it conveys the explanation, as at the same *time* an *effect* or *consequence* of what had been stated: e. g. here it is the *consequence* of Archias's good character.

40. Senectuti. If the cause was pleaded in 692, he was then in his sixtieth year. For *patuit*, other readings are *fuit*, *faverit*, and *fuerit*.

41. Metello illi Numidico. Consul, A. U. C. 645. He was called Numidicus from his victories over Jugurtha. Sall. *Jug*. 46. His son, Q. Cæcilius Metellus, obtained the surname of Pius, because, A. U. C. 655, he appeared in mourning to solicit permission for his father to return from exile. Vell. Pat. 2, 15. Klotz: *pio*. Est tamen cognomen nec vero adjectivum. Neque erat cur nonnulli transponerent *Pio ejus filio*. Orelli. Benecke: [*Pio*].

42. M. Æmilio, Scauro. He was consul, A. U. C. 639. Cf. *Font*. 7, 14.—*Vivebat cum Q. Catulo*. Q. Lutatius Catulus, the father, consul, 652; and the son, afterwards consul in 676. *Vivere cum aliquo* is said of friendly intercourse. Krebs, *Guide*, 206.

43. L. Crasso, the orator.—*Lucullos*, i. e. Lucius and Marcus Lucullus.

44. Drusum. M. Livius Drusus. He was tribune, A. U. C. 663, and carried many laws, but was murdered in his own house. Vell. 2, 13. Cf. *p. Mil*. 7.—*Octavios*. Cneius and Lucius Octavius, consuls, respectively, with Cinna (667), and C. Aurelius Cotta (679). There was also another Cneius, consul with C. Scribonius Curio (678).—*Catonem*, probably the father of M. Cato Uticensis.—*Hortensiorum domum*. L. and Q. Hortensius, father and son; the latter was the celebrated orator, and consul, A. U. C. 685.

3. Si qui forte simulabant. Ne indocti atque ab politioribus li-

99 teris abhorrere viderentur.

CH. IV.—**6. In Siciliam profectus.** The language shows that *Lucullus* must have had the province of Sicily, but nothing of this is known from any other source. Senators were allowed to quit Italy for a certain time without any special commission. On their journey, and wherever they stayed, they enjoyed the honors and distinctions of real ambassadors, but more especially the *hospitium publicum*. It has been thought, therefore, by some, to be more probable that Lucullus, on the occasion here referred to, made use of this *jus legationis liberum* for a private purpose. Matthiæ thinks the *short-hand* writer has blundered the passage, as the *going to* Sicily is made *prominent*, though it is quite secondary: one should have expected, he says, "*Quum ex provincia Sicilia cum L. Lucullo, quem eo comitatus erat, decederet.*" But may not the *complimentary* nature of the fact, that Lucullus *took him and kept him* with him, justify the *co-ordinate* (instead of *subordinate*) position of the *taking* him into Sicily? Madvig: *cum M. Lucullo*.

7. Heracliam. A colony of Tarentum in Lucania on the Bay of Tarentum.

8. Æquissimo jure ac fœdere. Namely, with Rome. Heraclia concluded an alliance with Rome as early as A. U. C. 476, in the consulship of C. Fabricius, and obtained greater privileges than other towns, such as Tarentum, Rhegium, and Naples; hence *æquissimo*, "placing it in a most fair relation, in which it was almost equal to Rome." This was also the reason why Archias endeavored to obtain the franchise of Heraclia. Cf. *p. Balb.* 22, in.

10. Auctoritate. From affection and esteem for Lucullus. "*Auctoritas* est hominum honoratorum et potentium, quatenus veremur ipsos lædere, iis negare aliquid."—*Luculli*, sc. Marcus Lucullus, who as being present is not more nearly described. Thus the contradiction between the M. of § 8 and the L. of § 6 disappears of itself. Nauck.

11. Data est civitas, i. e. *fœderatis in Italia civitatibus.* Cf. § 10.—*Silvani lege.* Scil. est lex Plautia Papiria, lata a M. Plautio Silvano, C. Papirio Carbone, tribb. pl. A. U. C. 665. Libri *Sillani* (ST.) vel *Silani* (sicque KL.) *Silvanus* autem Plautiorum est cognomen; *Silanus* Juniorum. Orelli.

14. Sexaginta diebus. Within sixty days after the passing of the law.

15. Multos jam annos. Namely, from A. U. C. 652 to 665.

16. Professus est. *Profiteri* was the term for a person's signifying to the prætor his wish to accept the *civitas*. The name was sent to the prætor, because the whole business of keeping lists of the citizens formed part of his official functions.—*Apud prætorem, Q. Metellum*, i. e. *Q. Metellus Pius; prætor*, A. U. C. 665.

17. Nihil aliud nisi. Z. 771, *Note.*—*De civitate ac lege*, = *de civitate Heracliensi ab Archia impetrata ac de lege* (*Plautia Papiria*) *qua civitas data est fœderatis populis.*

18. Causa dicta est. That is, if the question is only about the compliance with that law on the part of Archias, and about his franchise at Heraclia, all has been said, and the matter is settled; for Archias has in fact complied with all the conditions stated in the law.

20. L. Lucullus. Madvig, with MSS.: *M. Lucullus.*

24. Adscriptum Heracliensem = "*adscriptum in civitatem Heracliæ*," vel "*adscriptum Heracliæ.*" Cf. *adscripticii cives*, 3 *de Nat. Deor.* 15, 39.

25. Hic tu. This form implies something of *indignant* feeling. Cf. *Fam.* 5, 15: *Hic tu ea me abesse urbe miraris, in qua domus nihil delectare possit, summum sit odium temporum, hominum, fori, curiæ?* And *ibid.* 7, 13: *Hic tu me etiam insimulas, nec satisfactionem meam accipis.* Manut.—*Tabulas.* The civic registers of

Page 99 Heraclia, which had been burnt with the archives (*tabularium*) at the time of the Social war.

26. Italico bello. Called also Social, and, from the Marsi who began it, Marsic. See Schmitz, *Rome*, ch. xxvii.

28. Dicere, quærere. On the omission of the conjunction, see Z. 781. Notice also the *chiasmus* and *anaphora* in the arrangement of the period.—*De hominum memoria tacere, literarum memoriam flagitare. Hominum memoria* = quæ homines facta meminerunt et testantur: *literarum memoria* = memoria rei literis prodita.

30. Integerrimi municipii, i. e. Heraclia, which, according to these words, must, previously to the delivery of this speech, have been changed from a *civitas fœderata* into a *municipium.* Heraclia remained faithful to Rome during the Social war, whence the epithet *integerrimum.* But it had much to suffer for this.

31. Ea, quæ. Nauck: *ea quæ,* &c. parenthetically.

33. An domicilium collocavit? The *objection* is "*an dom. non habuit,*" and the *answer* is blended, as it were, into one sentence with it, by the *qui,* &c. It implies that the objection does not deserve a *formal answer:* the answer may be gathered from the statement. If *formally* given as an answer, it would be something of this sort: *At (= but, you say) in Italia domic. non habuit. Imo vero tot annis,* &c. Cf. *de Divin.* 2, 49, 102: *neque ignorant ea, quæ ab ipsis constituta et designata sunt; = neque ignorant futura, hæc enim ab ipsis,* &c. Stürenburg and Madvig: *an domicilium Romæ non habuit is qui,* &c.

35. An non, &c. Nauck: *At non est professus!*

36. Iis tabulis, sc. Metelli.—*Quæ solæ,* in antithesis to the records of Appius and Gabinius mentioned below. Which, from the time of that registration, and of the then college of prætors, alone have the authority of public records. The reason is added immediately below.

Ch. V.—**39. Appii.** Appius Claudius Pulcher. He was the father of the notorious P. Clodius, and prætor in the year A. U. C. 665, in which the *lex Plautia Papiria* was carried. He was the colleague of Q. Metellus Pius.—*Negligentius asservatæ.* So that forgeries might easily be introduced into them.

40. Gabinii. Gabinius was prætor in the same year as Appius, and was afterwards found guilty of extortion in his province of Achaia. *Div. in Cæcil.* 20, 64.—*Quamdiu incolumis fuit.* So long as he was free from misfortune; that is, previous to his condemnation.—*Post damnationem calamitas.* After his condemnation his difficulties or downfall, which cast suspicion or distrust upon his previous acts. Weiske's interpretation, that he, after his condemnation, had access to the lists and inserted forgeries for money, in order to retrieve his ruined fortune, seems out of place here.—*Levitas.* His recklessness or corruption.

41. Resignasset = "*had destroyed.*" *Resignare* (properly to *unseal*) is here appropriate, because all such public documents were sealed by the prætor with his own ring. His *condemnation*, by injuring his *character* for probity, naturally lessened the authority of his papers.

42. Modestissimus = "*legum diligentissimus observator.*" Ern.

44. Venerit .... dixerit. The Perfect denotes a *single* action: *veniret .... diceret* would rather denote a continued or repeated one. See Z. 512, *Note*. Krebs, *Guide*, 261. *Lentulus* was prætor, A. U. C. 665.—*Se commotum esse*, i. e. to suspect a fraud.

3. Aliis quoque in civitatibus .... adscriptus. His having received the freedom of those cities, is mentioned to increase the probability of his having received it at Heraclia; not as giving him any right to the Roman citizenship. For *dubitetis*, Klotz gives *dubitatis*.

4. Mediocribus multis et aut. Klotz omits *et*. V. *mediocribus* scil. refertur ad ingenium; hoc membrum ad artem atque disciplinam, unde melius copulâ priori jungitur. Orelli.

5. Gratuito, i. e. "nullo eorum merito;" or "ita ut nullus inde fructus neque ad se neque ad rem publicam redundaret." Matthiæ compares *de Nat. Deor.* 1, 44, 122: *Prata et arva et pecudum greges diliguntur isto modo, quod fructus ex iis capiuntur, hominum caritas et amicitia gratuita est.* Nauck rejects *gratuito*. S. *non gravate*.

6. In Græcia, i. e. *in Magna Græcia;* the Greek colonies in the south of Italy. *In Græcia* is to be joined with *impertiebant:* not *in Græcia homines.*—*Rheginos credo ..... noluisse.* Ironically. So *Rosc. Amer.* 21, 59. But in this sense it is rarely followed by the accusative with the infinitive. See Z. 777.

7. Scenicis artificibus. Acting on the stage, music, and dancing, were regarded by the Romans as ignoble acts, which ought to be practised by slaves, and not by freemen.

9. Post civitatem datam, sc. *sociis et Latinis.* Cf. *Fam.* 13, 30: *erat adscriptus in id municipium ante civitatem sociis et Latinis datam.* There were two laws on this subject: (1) that of L. Julius Cæsar, then consul, A. U. C. 664, in the first year of the Italic war, that the citizenship should be given to the allies, who had either remained in their allegiance or laid down their arms: (2) that of the tribunes, M. Plautius Silvanus and C. Papirius Carbo, in the second year of the same war, which extended its provisions to foreigners enrolled in any of the confederate states, provided they were resident at Rome when the act was passed, and declared their wish to avail themselves of its provisions within sixty days. This declaration was made before the prætor. Aft. Manut.

10. Post legem Papiam. An act *de peregrinis ex urbe ejiciendis* passed in the consulship of Cotta and Torquatus, A. U. C. 689. It enacted that all strangers who regarded themselves as Roman citi-

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100 zens, and all the citizens of allied towns which had not yet become *municipia*, should be expelled from the city. In consequence of this, many strangers got their names entered in the lists of municipia, in order to be able to pass as Roman citizens. *Male etiam, qui peregrinos urbibus uti prohibent eosque exterminant; ut Pennus apud patres nostros, Papius nuper.* The Schol. Bob. says: "Reus factus est Archias *lege Papia*, quæ lata fuerat ad eos coercendos, qui temere et illicite civitatem Romanam usurpassent." But, according to Cicero, its effect was *usu urbis prohibere peregrinos*, which, he observes, is *sane inhumanum.*

11. Eorum municipiorum. *Rhegium, Locri, Neapolis,* &c., were made *municipia* (from *fœderatæ civitates*) by the law of L. Cæsar. See *ad Fam.* 13, 30. For *irrepserint*, Klotz, Benecke, Stürenburg, and Nauck read *irrepserunt.*

12. Se .... esse voluit. *P. C.* 149, (*b*); Z. 610.

13. Census nostros requiris. Scilicet: est enim obscurum, &c. *Census* is the counting and estimating the Roman citizens according to their property: this was usually done every five years (*lustrum*); but from A. U. C. 668–684 there had been no census. *Scilicet* (= *sci licet*) properly calls upon him whom we address to *know* that which we are going to state. Compare with our present passage *ad Quint. Fratr.* 1, 3, 1: *Ego tibi irascerer? tibi ego possem irasci? Scilicet, tu enim me afflixisti, tui me inimici, tua me invidia ac non ego te misere perdidi.* In both these passages it calls attention to the truth and certainty of a *false* statement, *ironically* asserted to be true. After S.

14. Proximis censoribus. Cn. Lentulus Clodianus and L. Gellius, A. U. C. 684, in the consulship of M. Licinius Crassus and Cn. Pompeius Magnus.

15. Apud exercitum fuisse, "*to be with the army,*" is said of non-military persons attending the general for any reason. This was in the Mithridatic war, which Lucullus carried on from A. U. C. 681–687.

16. Superioribus. L. Marcius Philippus and M. Perperna, A. U. C. 668.—*Cum eodem quæstore.* L. Lucullus from A. U. C. 666–674, was in Asia, as quæstor and proquæstor, with Archias and his brother M. Lucullus.

17. Primis, i. e. the *first* after Archias had declared before the prætor his wish to avail himself of the law, that put the freedom of the Roman city within his reach. These were L. Julius Cæsar and P. Licinius Crassus, A. U. C. 665, the consuls being Cn. Pompeius and L. Porcius Cato.—*Nullam populi partem esse censam.* Because it was not yet five years since the census of A. U. C. 662, and because they had been elected censors only for the purpose of distributing the allies, who had obtained the franchise, into eight or ten new tribes. It is not probable that Archias gave in his name on that occasion; be-

cause, having resided at Rome for a long time, he might hope to be admitted among the old tribes.

18. Non ... ac tantummodo indicat. *Et, atque* (*ac*) are sometimes used where *we* should use *but;* in connecting opposite notions, the first having a *negative* with it. "*But rather*" is "*ac potius:*" less commonly *et potius.*

19. Indicat eum .... ita se jam tum gessisse pro cive. *Ita* = "*so far,*" or "*as such,*" *by the very fact of this enrolment* among the citizens at the census. It refers the reader to the preceding statement: "*Id quo refertur ita, interdum exprimitur verbis proxime antecedentibus vel uno nomine, quod in prioribus eminet: quemadmodum Græci prægredienti participio adjungunt reliquam sententiam per* οὕτως. *Id, quod dicitur hac particula restringitur ad eam notionem, quæ modo est expressa: unde fit, ut intelligamus* eo ipso." Hand. vol. iii. 482.

20. Quem tu criminaris, &c., i. e. iste Archias, *quem.* Matthiæ, who reads *quæ tu,* &c., considers this an instance of *attraction* for *quibus.* Klotz first takes *quæ tu criminaris* by itself, and considers the following clause an instance of *epexegesis;* i. e. of an explanatory statement (here an explanatory statement of the substance of the charge) that is appended to a previous assertion, without any strict grammatical coherence. He adds, it would all be plain if it stood in full, *iis temporibus quæ tu criminaris, quum dicis eum ne ipsius quidem,* &c. Nauck also adopts *quæ,* and renders "in those times during which he, according to your accusations," &c. Madvig and Stürenburg (ed. 2) read *quem.*

22. Testamentum sæpe fecit. Roman citizens alone were allowed to make a will, or be made heir of a Roman citizen; a proof that Archias considered himself to be a Roman citizen (*suo judicio*).

23. In beneficiis .... delatus est. *In beneficiis deferri* = in iis, qui beneficia merentur, deferri; "to be recommended as one deserving rewards." When a Roman proconsul or proprætor returned from his province, and gave in his accounts, &c., to the treasury, he also delivered in the names of persons whom he wished to be recorded as benefactors to the Roman state. In Cicero's time these recommendations must be made within thirty days after the rendering of accounts. *Fam.* 5, 20; *Balb.* 28. This did not constitute a claim to any immediate or particular reward, but was an honor, and, in case of any danger, &c., an advantage, as entitling a person so honored to the good offices of the Roman government. It appears from this passage that only *citizens* were so recorded. Möbius compares τοὺς εὐεργέτας τοῦ βασιλέως (Herod. 8, 85), and the εὐεργεσίαν of the Syracusans, Xen. *Hist. Græc.* 1, 1, 26. So when Mordecai discovered the plot against the king's life, his name "*was written in the book of the*

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100 *chronicles before the king.*" *Esth.* ii. 23. See *Dict. Antiq.* BENEFICIUM.

24. A L. Lucullo proconsule. Stürenburg (ed. 2) and Nauck for *proconsule* read the abbreviated P. R. of the MSS. as *populi Romani consule.*

CH. VI.—**25. Si quæ potes.** Stürenburg holds that "the older and fuller form, *si quis, si quæ,* is used by Cicero when the logical faculty, the *intellect,* predominates: the later and shorter form, *si qui, si qua,* when the *sensibility,* the *feelings* are uppermost."

26. Revincetur = convincetur. "He will never be convinced that his judgment, and that of his friends, is unfounded and false."

29. Convicio. *Convicium* is the shouting and quarrelling of the orators and parties at a trial; hence also *strepitus forensis.* Quinctil. 1, 8, 11: *Præcipue apud Ciceronem—vidimus Ennii—et aliorum inseri versus, summa non eruditionis modo gratia, sed etiam jucunditatis, quum poeticis voluptatibus aures a forensi asperitate respirent.*

30. An tu existimas? *P. C.* 120, (*f*), (*a*).

31. Nisi animos nostros doctrina excolamus. Cf. *Tusc.* 2, 5, 13: *ut ager quamvis fertilis sine cultura fructuosus esse non potest, sic sine doctrina animus.*

33. Contentionem. A metaphor derived from bending the bow; therefore *relaxemus* immediately afterwards.

35. Se .... literis abdiderunt. The phrase *se in literas abdere* is more common: e. g. *Fam.* 7, 33: *me totum in literas abdere,* &c. *Literis* is the abl. See Z. 489.

37. Quid pudeat. *Quid* = cujus rei causa. See Z. 385 and 442.

38. Vivo = "*have lived;*" the *past* and *present* being brought into *connection.*—*Aut commodo.* Stürenburg (2) and Nauck: *aut commodum.*

40. Retardarit. *Retardare ab aliquo,* or *ab aliqua re,* is quite correct, though Matthiæ appears to doubt it; e. g. *posteriora* (*tempora*) *me a scribendo . . . retardarunt; Fam.* 5, 17.

41. Quantum ceteris, &c. Cf. Quinct. 1, 12, 18: *qui vero imaginem ipsam eloquentiæ divina quadam mente conceperit—facile persuadebit sibi, ut tempora, quæ spectaculis, campo, tesseris, otiosis denique sermonibus, ne dicam somno et conviviorum mora conterunt, geometræ potius ac musico impendat.* Cf. Plat. *Phædr.* p. 276. D.

42. Ceteris .... alii. This *proleptic* use of these words is very common. Here they stand not with reference to each other, but to *egomet,* as in ch. 1 *ceteris* and *alios* to *huic .... ipsi.* Cf. 5, 10, *ceteri .... hic;* 7, 16, *ceteræ .... hæc studia; Leg. Manil.* 10, 28; *Sull.* 3, 9.

44. Temporum. See note on p. 44, line 13.

1. Tempestivis conviviis. *Tempestiva convivia* are to be understood of entertainments which commence early, before the ninth hour, i. e. before three o'clock in the afternoon, which was the usual hour for the *cœna,* and extend late into the night. *Intempestiva* in this connection is an old error still met with in some editions.—*Alveolo.* Nauck prefers the common text *aleæ. Alveolus* is the gaming board or table, the place of the game for the game itself.

2. Pilæ. See *Dict. Antiq.* PILA.

3. Atque hoc adeo, &c. The *adeo* is to be joined with *hoc.* Hand. "Constat, a Latinis particulam *adeo,* ut a Græcis particulam γέ, tum usurpatam esse, cum res aliqua, de qua jam ante dictum erat, majore vi efferenda erat: eaque significatione sæpissime conjunctam inveniri cum pronominibus *is* et *hic.*" S. (who, however, rejects *adeo* in Ed. 2; observing that; common as *id adeo* is, *hoc adeo* is not found.) Madvig: *Atque hoc ideo,* &c. Nauck: *Atque id eo mihi,* &c., comparing *Læl.* 4, 15: *idque eo mihi magis,* &c.; and *Acad.* 2, 1, 2; Suet. *Cæs.* 81. Stürenburg: *atque hoc id mihi.*

4. Oratio et facultas = (nearly) *orationis facultas.* Cf. *post red. in sen.* c. 13, *judicio et posteritati. Orat.* 55, 183: *natura atque sensu* = *sensu naturali.* Z. 741. For *crescit,* Nauck prefers *censetur.*

5. Quantacunque = *quantulacunque.* But it must be remembered that it *means "however great," "to whatever magnitude it reaches;"* though the orator modestly *implies* that it is a small one. Cf. *de Orat.* 2, 28, 122: *Atque ego is, qui sum, quantuscunque sum ad judicandum,* &c. S. Klotz omits *est.*

6. Quæ summa sunt, i. e. "recte vivendi præcepta, quæ philosophia continentur." "That which is the highest that man can attain;" namely, principles to guide him in practical life.

8. Literis, *"from literary works;"* the works of poets, historians, orators, philosophers. *Literæ* are opposed to *præcepta,* which are imparted *viva voce:* the *sapientium voces,* afterwards mentioned.

9. Nisi laudem. *Laus* is here *well-founded* praise; a *good reputation* fairly won. Matthiæ observes that the Greeks, on the contrary, use the names *virtue, vice,* respectively, for the *praise* or *censure* that follows them: τὴν ἀρετὴν κτήσασθαι = *laudem virtutis comparare.*

10. Honestatem. Cf. § 15: *laudem et virtutem.*

11. Omnia . . . . exsilia, "*all kinds of banishment.*" Madvig: *exsilii.*

12. In tot . . . . dimicationes . . . . objecissem. Cf. *Cluent.* 41, 113: *Nego rem esse ullam in quemquam illorum objectam, quæ,* &c. So *offerre* with *in,* as well as with dat.: e. g. *pro Sest.* 1, 1: *qui auderent se et salutem suam in discrimen offerre pro statu civitatis et pro communi libertate.* A reason for not choosing the dative after *objicere,* which is its more common construction, may in this instance

Page 101 be found in the circumstance that *impetus* lacks the dative and ablative plural. Cicero alludes here to the conspiracy of Catiline, and to the attacks of the Clodian faction which drove him into exile.

14. Pleni sunt omnes libri, &c., i. e. "full of those principles, the power of which he had just stated." Stürenburg (2) and Nauck: *pleni omnes sunt libri.* Cf. *Tusc.* 1, 6, 11.

15. Exemplorum vetustas = *exempla vetusta.* Cf. *pro Rosc. Com.* 2, 6: *literarum vetustatem.* S. Nauck however compares *Plena vita exemplorum est. Tusc.* 5, 27, 79; and construes *exemplorum* with the adjective *plenus.* Cf. *de Off.* 3, 11, 47.

19. Expressas. *Expressus* is a metaphor borrowed from sculpture, and is opposed to *adumbratus,* "sketched in outline." *Gloria est solida quædam res et expressa, non adumbrata. Tusc.* 3, 2, 3.

Ch. VII.—**25. Difficile est.** Z. 520.

26. Quid respondeam. "I know what to reply." Cf. *Verr.* 5, 21, 53. Klotz, from Cod. Erf.: *quod respondeam.*

27. Ego multos homines. Simile argumentum tractat Isocrat. π. ἀντιδόσ. § 203 sq. ed. Bekk.

31. Atque idem ego. *Idem* is not simply equivalent to *etiam,* but has an adversative force ("*yet for all that*"), denoting an *opposition* between the notions. Z. 697. *Ad Att.* 1, 11: *Ac ne illud mirere, cur, quum ego antea significarim tibi per litteras, me sperare illum in nostra potestate fore, nunc idem videar diffidere. Off.* 1, 24, 84: *Inventi multi, qui non modo pecuniam, sed vitam etiam profundere pro patria parati essent, iidem gloriæ jacturam ne minimam quidem facere vellent.* See Hand, i. pp. 477, 493.

33. Conformatio doctrinæ = *conformatio naturæ* (sive *ingenii*), *quæ doctrina efficitur.* So *sermonis delectatio; de Senect.* 14, in. *Voluptates epularum; ibid.* § 50 = *quas epulæ afferunt.* Heumann compares with what follows the words of Zeno in Diogenes Laert. 7, 8: φύσις εὐγενὴς μετρίαν ἄσκησιν προςλαβοῦσα, ἔτι δε τὸν ἀφθόνως διδάξοντα, ῥᾳδίως ἔρχεται πρὸς τὴν τελείαν ἀνάληψιν τῆς ἀρετῆς.

34. Nescio quid. Z. 553. This phrase usually implies that the thing is unimportant or insignificant. Here it heightens the notion by its very indefiniteness = something quite distinguished. This force also often belongs to *quidam;* e. g. ch. 2, 3, *novum quoddam genus;* 8, 18, *divino quodam spiritu.*

35. Ex hoc esse hunc numero, sc. *contendo.*—*Ex hoc .... numero.* Cf. § 31.

36. Africanum .... Lælium .... Furium. These three men are mentioned also, *de Orat.* 2, 37, as surrounded by men of the highest cultivation of the time.—*Divinum hominem.* See Arnold's Nepos, *Paus.* 1, 1, p. 116.

39. Catonem. He was surnamed Censorius or Sapiens, was a great orator, who learned Greek at a very advanced age, and wrote

many works. Cicero has called his treatise, *de Senectute*, after him, and made him one of the interlocutors in it. Cf. *de Orat.* 1, 37.—*Si nihil .... adjuvarentur.* Where *we* should use the pluperf. Cf. 2 *Cat.* 4, 3. Z. 525.

42. Et si, &c. Where *we* should use "*but.*" See note on p. 100, line 18.

43. Hanc animi adversionem. "Tendency" or "direction of the mind," "mental occupation." The substantive *adversio* is not found in any other passage. Matthiæ observes that *animum advertere* is much less than *studere rei* or *operam in ea collocare.* But Cicero may choose to speak of *some attention* to such studies as a *secondary,* though interesting and valuable, pursuit. Madvig: *animi remissionem,* which Orelli also approves.

44. Judicaretis = *judicare deberetis.* Cf. *Etenim qui præesse agro colendo flagitium putes, profecto illum Atilium, quem sua manu spargentem semen, qui missi erant, convenerunt, hominem turpissimum atque inhonestissimum judicares. Pro Rosc. Am.* 18, 50.—*Nam ceteræ, &c. .... at hæc.* Madvig omits *at.* Hand (*Turs.* 1, 420) corrects the prevalent notion, that in such contrasted cases the adversative particle *at* is usually omitted. He gives a great many instances of its insertion. *Fecit idem Themistocles .... at idem Pericles non fecit .... Att.* 7, 11: *Ut majores nostri Tusculanos, &c. .... in civitatem .... acceperunt; at Karthaginem et Numantiam funditus sustulerunt. Off.* 1, 11—*Ceteræ,* sc. *animi adversiones,* i. e. artes, studia. Namely, those of a more practical nature; the object of which is not solely the ennobling of the mind, but by which we may make ourselves useful to our country and our fellow-men. Nauck inclines to think *cetera* the true reading, and *ceteræ res* a gloss on this.

1. Omnium belongs to each of the genitives, *temporum, ætatum, locorum.*

2. Acuunt. Klotz, Stürenburg, Benecke, and Nauck retain the reading of the MSS. *agunt,* in the sense of employ, keep busy.

4. Non impediunt foris. A *cold* praise. In *Or.* 43, extr. he expresses himself far more strongly: *quæ quidem me antea in judicia atque in curiam deducebant, nunc oblectant domi.* Matthiæ's next remark that *peregrinari, rusticari, &c.,* convey no great praise, because the *wicked devices* of bad men occupy them as fully by day and by night, at home and abroad, has no good foundation. That the presence of *good* is *perpetual,* is a blessing that is not diminished because the presence of evil is perpetual too. With the general praise, Heumann compares *Fam.* 5, 13: *Quibus secundæ res ornantur, adversæ adjuvantur.* Quinct. 6, procem. 14: *Credendumque doctissimis hominibus, qui unicum adversorum solatium literas putaverunt.* Plin. *Ep.* 8, 19: *Et gaudium mihi et solatium in literis, nihilque tam lætum, quod his lætius, nihil tam triste, quod non per has sit minus*

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102 *triste.* Netscher adds, *Aristot. ap. Diog. La.* 5, 19: τὴν παιδείαν ἔλεγεν ἐν μὲν ταῖς εὐτυχίαις εἶναι κόσμον, ἐν δὲ ταῖς ἀτυχίαις καταφυγήν.

5. Rusticantur. The rich and distinguished among the Romans spent their summers at their country-seats, and Cicero wrote many of his treatises at his Tusculan villa.

6. Attingere = "*discere.*"—*Sensu nostro gustare* = "*sentire præstantiam eorum.*"

CH. VIII.—**9. Tam animo agresti.** Cf. *Verr.* 5, 48, 127: *Siciliam tam in paucis villis.* Klotz: *animo tam agresti.*

10. Roscii, i. e. *Q. Roscii, comœdi.* Roscius had acquired such a perfection in his acting on the stage, that his name became proverbial for any one distinguished in his art or profession. Cicero himself elsewhere owns that he had learned much from Roscius, especially in reference to delivery. Cf. *p. Quinct.* 25; *de Orat.* 1, 28; *de Nat. Deor.* 1, 28; and the oration in which Cicero pleaded his cause.

12. Ergo ille. An argument, *a minore ad majus*, of which the more common form is *an ille . . . ?* followed by *non . . . ?* So 1 *Off.* 31, 114: *Ergo histrio hoc videbit in scena, non videbit vir sapiens in vita? Orat.* 51, 171: *Ergo Ennio licuit vetera contemnenti dicere Versibu' . . . . mihi de antiquis eodem modo non licebit?* Cf. ch. 9, in. 10 in.

13. A nobis omnibus, i. e. from all of us alike, whether learned or unlearned.

14. Hos. Klotz, Benecke, and Nauck read *nos*, which gives almost a better sense, and at any rate is more oratorical, as opposed to *ille*, although the antithesis is not strictly logical.—*Animorum incredibiles motus.* "Activity of the soul" refers, in the first place, to Archias; but the plural *animorum* and *ingeniorum* renders the thought more general; and to this *nos* is better suited, though *hos* may be equivalent to *hujusmodi* or *tales.* 1 *de Orat.* 25, 113: *animi atque ingenii celeres quidam motus esse debent.* 3 *de Nat. Deor.* 27, 69: *motum istum celerem cogitationis.*

17. Novo genere dicendi, i. e. the encomium which he is going to pronounce upon poetry and the arts, which, as such, has nothing to do with the trial.

20. Revocatum. Requested to repeat, encored. Hor. *Ep.* 2, 1, 223. Archias, as the Italian improvisatori, composed and repeated other verses on the spot, relating to the same subject. Hæc ars, si tamen ars dicenda est, elucet etiam ex Archiæ epigrammatis ἀναθηματικοῖς Anthol. Palat. 1, p. 189, N. 16, p. 197, N. 39, p. 242, N. 179, 180, 181. p. 261, N. 207, in quibus omnibus terni fratres vel ternæ sorores diis donaria offerunt. Orelli.

22. Cogitate. This is the only passage in Cicero in which this adverb occurs; nor is it found in other writers, except sometimes in

Plautus, so that it appears to have belonged to familiar conversation, instead of to a more elevated style. S.

23. Pervenirent. The so-called Comparatio compendiaria. Omnes enim auditores illico intelligebant sententiam hanc esse: "Archiæ carmina accuratius elaborata perveniebant ad laudem carminum a veteribus poetis compositorum. Stürenburg: *perveniret.*

28. Inflari = ἐνθουσιάζεσθαι.—*Suo jure* = "*with full right.*"

29. Ennius, a native of Rudiæ in Calabria, flourished in the time of the second Punic war, in which he served as a centurion, and of which he composed a poetical history. He also wrote tragedies, satyric dramas, and a eulogy on the elder Scipio Africanus; but we have only fragments of his works. He died, A. U. C. 585.

30. Dono atque munere. "*Donum* a *voluntate* potius quam ab officio proficisci; *munus* cum aliquo *officio* conjunctum esse videtur." Manutius. Cf. Död.

31. Videantur. Z. 551.

33. Saxa et solitudines voci respondent, &c. Nauck: *voce respondent.* Quinct. 9, 4, 44, says of this passage: "*Magis insurgebat, si verteretur; nam plus est saxa, quam bestias commoveri; vicit tamen compositionis decor;*" a strange opinion (as Stürenburg remarks), the re-echoing of the rocks being a *natural law*, which, he irreverently adds, would take effect, if the *voice* were the braying of a donkey. The fact is, that it is a poor piece of trumpery declamation. Cf. *Verr.* 5, 67, in.: *Si hæc non ad cives Romanos, non ad aliquos amicos nostræ civitatis, non ad eos, qui populi Romani nomen audissent, denique si non ad homines, verum ad bestias, aut etiam, ut longius progrediar, si in aliqua desertissima solitudine ad saxa et ad scopulos hæc conqueri et deplorare vellem, tamen omnia muta atque inanima tanta et tam indigna rerum atrocitate commoverentur.*

34. Bestiæ sæpe immanes. "Si quis [hæc] attente consideret, videbit nullo modo referri posse ad Orphei et Arionis fabulam: quod tamen erudito homini, Paulo Manutio, visum est. Nam quod perraro factum poetæ fabulantur, quo ore id Cicero dixisset sæpe fieri? Melius igitur Victorius, qui id jam pridem ad *serpentes* retulerat: quos carminibus flecti ac consistere opinio est. Gothicarum quidem rerum scriptores narrant, *ursos* ita delectari tibiarum et fistularum pastoriciarum sono, ut, cum in pastores impetum facturi sunt, sæpe ab eis cantu mulceantur: atque hanc usitatissimam pastoribus ejus regionis rationem esse expediendæ ab ursorum impetu salutis suæ. Vix tamen est, ut existimem id Ciceroni notum fuisse." Muretus. Benecke considers this too meager an explanation to suit the coloring of the entire passage. The myths respecting the enchanting notes of the singers of the earliest times floated before the mind of the orator, and, carried away by his feelings, he represents as of frequent occurrence, what was a matter of individual experience.

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102 **36. Homerum.** Cicero here mentions only four towns which claimed the honor of being Homer's birthplace. A Greek verse mentions seven.—*Colophonii .... itaque etiam delubrum ejus in oppido dedicaverunt,* caussa nulla est, cur mutetur. Quamvis enim Ietæ quoque Homerum suum esse contenderent, non tamen Ciceroni propositum fuit eas omnes urbes nominare, quæ sibi summum illum poetam vindicarent. Et notum est apud Smyrnæos Homeri delubrum fuisse Strabo libro quartodecimo: *ἔστι δὲ καὶ βιβλιοθήκη καὶ τὸ Ὁμήρειον, στοὰ τετράγωνος ἔχουσα νεὼν Ὁμήρου καὶ ξόανον· ἀντιποιοῦνται γὰρ καὶ οὗτοι διαφερόντως τοῦ ποιητοῦ· καὶ δὴ καὶ νόμισμά τι χαλκοῦν παρ' αὐτοῖς Ὁμήρειον λέγεται.* Muretus.

37. Smyrnæi vero. Z. 348, *Note.*

Ch. IX.—Ergo illi. See note on line 12.

42. Qui et. Klotz and Stürenburg: *et qui.*

43. Præsertim quum, i. e. *minime vero (repudiabimus) præsertim quum,* &c. Klotz, Madvig, and Nauck: *repudiamus.*

103 **1. Cimbricas res .... attigit,** e. the victory of Marius over the Cimbri. *Attigit* = scribere cœpit, inchoavit. Cf. ch. 11.

2. Qui durior ad hæc studia videbatur = "*qui ea sensu suo minus gustare poterat.*" Cf. Sall. *Jug.* 85, where Marius is made to say: "*Neque literas Græcas didici. Parum placebat eas discere, quippe quæ ad virtutem doctoribus nihil profuerunt.*"

4. Aversus a Musis = *ἄμουσος.*

8. Ejus, a quo sua virtus. Cf. Val. Max. 8, 13. Plutarch attributes this to Xenophon, alluding no doubt to *Hier.* 1, 14: *τοῦ μὲν ἡδίστου ἀκροάματος, ἐπαίνου, οὔποτε σπανίζετε·* or *Mem.* 2, 1, 31: *τοῦ δὲ πάντων ἡδίστου ἀκούσματος, ἐπαίνου σεαυτῆς, ἀνήκοος εἶ.* There is no reason, however, for doubting that Themistocles may have uttered the sentiment.

9. L. Plotium. L. Plotius Gallus. He taught rhetoric at Rome about A. U. C. 671, and also wrote poetry. Cf. Suet. *de claris Rhet.* 2; Quinct. 2, 4, 42; Meyer, *Orat. Rom. Frag.* p. 380. For *item* Stürenburg reads *idem.*

10. Quæ gesserat. Z. 546.

12. In multa varietate, &c.; from its various fluctuations of success, its battles by day and by night, its sieges, &c.—*Totum ab hoc expressum est.* Not *totum,* but only the part of it that *Lucullus* carried on; not the later and final successes of *Pompey,* who had his eulogist in the person of Theophanes of Mitylene. Manutius.

13. Expressum est, i. e. a lively *image* was given. *Exprimere* properly refers to an image in wax, gypsum, &c.; or *per ahenea signa,* as Hor. *Ep.* 2, 1, 248, has it.

15. Aperuit .... Pontum. Cf. *pro lege Manil.* 8, 21: *patefactumque nostris legionibus esse Pontum, qui ante populo Romano ex omni aditu clausus fuisset.* Pontus was bounded on the north by the

Euxine, and on the landward sides enclosed by a chain of mountains. Mithridates had besides guarded this country by five and seventy fortresses. Stürenburg reads *et ipsa natura egregie vallatum;* Nauck, from the MSS. which give *naturæ regione,* makes *natura et regione.*

18. Non maxima manu. Plutarch, *Lucull.* 27, says, 10,000 heavy-armed soldiers.—*Innumerabiles Armeniorum copias.* Plutarch, *ib.* c. 26 and 27, says 260,000. He is speaking of the battle at Tigranocerta. He tells us that Tigranes said, when he saw the Romans, *εἰ μὲν ὡς πρεσβευταὶ, πολλοὶ πάρεισιν· εἰ δὲ ὡς στρατιῶται, ὀλίγοι.*

19. Urbem .... Cyzicenorum. Cf. *pro Muren.* 15, 33: *Quum totius impetus belli ad Cyzicenorum mœnia constitisset, eamque urbem sibi Mithridates Asiæ januam fore putavisset, qua effracta et revulsa tota pateret provincia, perfecta ab Lucullo hæc sunt omnia, ut urbs fidelissimorum sociorum defenderetur, et omnes copiæ regis diuturnitate obsidionis consumerentur.* Cf. also *pro l. Manil.* 8, 20.

20. Belli ore. Victor, *V. L.* xxix. 6, compares Hom. *Il.* κ'. 8, *πτολέμοιο μέγα στόμα πευκεδανοῖο.* The metaphor is taken from wild beasts.

21. Nostra semper feretur .... depressa hostium classis = *depressio hostium classis.* Z. 637. This use of participles is very common; e. g. 1 *Verr.* 4, 11: *quæstura quid aliud habet in se, nisi Cn. Carbonem spoliatum—nudatum et proditum Consulem, desertum exercitum?* "As o u r exploit will the sinking of the enemy's fleet, &c., always be named and celebrated."

23. Apud Tenedum pugna. On the sea-fight off Tenedos, cf. *p. l. Manil.* 8, 21; and especially *pro Muren.* 15, 33. *Quid? illam pugnam navalem ad Tenedum, quum contento cursu, acerrimis ducibus, hostium classis Italiam spe atque animis inflata peteret, mediocri certamine et parva dimicatione commissam arbitraris.* With respect to *ad* and *apud,* Ruddiman teaches properly that *ad* = *in loco proximo; apud* = *circa* vel *prope.* S.

24. Tropæa, marks of places where victories have been won. They consisted of arms piled upon one another, or suspended on pillars or trees.—*Monumenta,* artificial monuments, such as columns or inscriptions. The triumphs here alluded to are those of Lucullus, for Pompey's triumph was not celebrated till after the time of this speech.

25. Quæ quorum, &c. "*Therefore those, by whose.*" &c. Nauck retains the old reading *Quare, quorum ingeniis hæc feruntur,* i. e. ea, quæ diximus, patescunt omniumque ore celebrantur.

27. In sepulchro Scipionum. Liv. 38, 56: *Romæ extra portam Capenam in Scipionum monumento tres statuæ sunt; quarum duæ P. et L. Scipionum dicuntur esse, tertia poetæ Q. Ennii.* Plin. *H. N.* 7, 30: *Prior Africanus Q. Ennii statuam sepulchro suo imponi jussit, clarumque illud nomen, immo vero spolium ex tertia orbis parte raptum, in cinere supremo cum Poetæ titulo legi.* Klotz says

Page 103 that Pliny asserts that he had himself read the name of Ennius on the monument; but is not *legi* the *infin.* (not *perfect indicative*)? *jussit, nomen .... legi.* This celebrated monument was discovered A. D. 1780, but contained no such statues as are spoken of in the above quotation.

28. At iis laudibus, sc. *quibus Ennius Scipionem ornavit.* S., who compares *Fam.* 5, 13, 3: *Casus enim gladiatorii similitudinesque eæ, tum rationes in ea disputatione a te collectæ vetabant me rei publicæ penitus diffidere;* i. e. *similitudinesque eæ, quibus usus es.*

29: Ipse, qui laudatur, instead of the common reading *ipsi, qui laudantur.* Ita hoc membrum refertur ad unum Africanum: in sequentibus alios nominat viros illustres ab Ennio in annalibus celebratos.

30. In cœlum . . . adjungitur. The two propositions are placed together without a conjunction, *as if* they were not related to each other; but the relation is *implied* by this very juxtaposition. The force is *quum in cœlum Cato tollitur, tum, &c.*—*Hujus* = Catonis Uticensis: *proavus Cato,* Censorius. *Hic* is often used of contemporaries = qui nunc vivit, in opposition to one of an earlier day. It often also denotes one present.

32. Omnes denique illi, &c. These are the most celebrated Roman generals in the second Punic war: Q. Fabius Maximus Cunctator; Claudius Marcellus, the conqueror of Syracuse, A. U. C. 542; and Q. Fulvius Flaccus, the conqueror of Capua in A. U. C. 543.

33. Decorantur = celebrantur; namely, by Ennius in his annals.

CH. X.—**34. Rudinum hominem,** i. e. Ennius, who says of himself, *de Orat.* 3, 42, *Nos sumu' Romani; qui fuvimus ante Rudini;* from which, as from the passage before us, it appears that *Rudiæ* was not a *fœderata civitas.* Cicero means to contrast its insignificance with the splendor of Heraclia, whence Archias derived his claim of citizenship.

36. In hac, i. e. at Rome itself. Ennius had obtained the Roman franchise through M. Fulvius Nobilior, the conqueror of the Ætolians, A. U. C. 565, who had led a colony to Rudiæ.

37. De .... civitate ejiciemus? If he had said *e civitate,* it might have been supposed that he meant *in exsilium mittere.* Compare *exire de vita, Læl.* 4, 15; *de manibus extorsimus; ex urbe depulsus,* 2 *Cat.* 1, 2. See Hand, *Turs.* ii. p. 188.

38. Nam si quis, &c. *Nam* is not a mere particle of transition, but implies that what the orator is going to say is related in the way of *reasoning* to what preceded. The "shall we cast him out of the number of citizens?" implies a *strong denial* of this; involving the notion, gathered from what preceded, that the city would disgrace itself by casting out one who *had* conferred such honor upon it. Cicero

proceeds to justify this assertion, and the consequent assumption that *he ought not to be cast out*, and should not be cast out, by meeting the objection that the city had not received any considerable honor from him because he wrote in Greek. = *ejiciemus?* minime vero; *nam*, quod contradicere aliquis possit *Græcis* carminibus Archiæ populi Romani gloriam minus celebrari, s. *si quis minorem . . . errat.*

40. Leguntur in omnibus fere gentibus, sc. through their colonies, and through the conquests of Alexander the Great, the Greek language had spread over the coasts of the Mediterranean, and throughout the Eastern world. Cf. *de Div.* 1, 41, 90: *eaque divinationum ratio ne in barbaris quidem gentibus neglecta est. Tusc.* 5, 27, 77: *in ea tamen gente primum ii qui sapientes habentur, nudi ætatem agunt*, &c. S.

41. Suis finibus. That is, is limited to Latium; since even in the neighboring Etruria a different language was spoken. The expression, however, is nevertheless oratorical.

43. Quo manuum, &c. Nauck: *quo minus manuum .... eo gloriam;* giving this sense: Our deeds do not extend beyond the boundaries of our empire. It is to be desired, therefore, that those nations beyond the limits of the Roman empire, who have not experienced our prowess, should at least be reached by the fame of our deeds. Stürenburg: *quo eminus*, &c.

44. Gloriam famamque sic intelligi voluit, ut cogitaretur de *gloria famaque*, hoc est de *gloriæ fama*, quam carmina adderent Romanorum rebus gestis. S.

1. Ampla. Honorable, glorious.

2. De vita. Delenda hæc vv. censet Stürenburg (2). Sed non est "pro vita, ut eam sibi conservent dimicantes," sed "vitam exponentes:" ut § 29. Orelli.

3. Periculorum incitamentum = *incit. ad pericula subeunda.* So *opes, irritamenta malorum*, O. *Met.* 1, 140; *invitamentum sceleris*, Vell. Paterc. 2, 67. Z. 423, in fin.—*Quam multos scriptores*, &c. "No contemporary author of the campaigns of Alexander remains. Our best account comes from Arrian, who lived in the second century of the Christian era, but who drew up his history from the accounts of Ptolemy, the son of Lagus, and Aristobulus of Cassandria." Smith's *Dict. of Biog.* The work that gives most information on this subject is *St. Croix's Examen critique des Anciens Historiens d'Alexandre le grand.*

5. In Sigeo. Sigeum, a promontory on the coast of Troy, with the Ἀχίλλειον, the reputed tomb of Achilles.

7. Præconem, translated from the Greek κῆρυξ (used by Plutarch in vit. Alex. 15, extr.). The usual Latin term for *herald*, figuratively used, is *prædicator, laudator. Buccinator* is *trumpeter.*—*Inveneris.*

Page 104 Z. 564. Klotz, Stürenburg, and Nauck: *inveneras.* Sed merus est error librarii persæpe modos et tempora confundentis. Orelli.

8. Nisi Ilias illa. Nauck: *nisi illi ars illa*, i. e. *illi* Achilli *ars illa* Homeri.

10. Noster hic Magnus. Cn. Pompey, who was surnamed the Great. Benecke: *Quid noster hic Magnus*, &c.

11. Theophanem. We learn from Cic. *Att.* 2, 5, 1, &c., that he was the intimate and confidential friend of Pompey, and had very great influence with him (*Att.* 5, 11, 3). He accompanied him on his expeditions in the East. Only a few epigrams of his have come down to our time.

12. Nostri illi fortes viri. The *fortes viri* are the soldiers of Pompey; *nostri* is here used with emphasis and pride.

13. Sed rustici ac milites. Cf. *de Senect.* 20, 75: *non solum indocti, sed etiam rustici.*

15. Itaque, credo, an ironical supposition. The meaning is: any imperator would have been happy to make him a citizen. What follows is to be taken in the same sense. How is *perficere non potuit* to be construed? *P. C.* 130.

17. Potuit. Z. 519. Cf. 3 *Cat.* 9, 22.—*Hispanos . . . et Gallos.* In the *Orat. pro Balb.* 22, 50, he mentions Aristo of Massilia (Marseilles) and nine inhabitants of Gades.

18. Quem nos, &c. Klotz: *quem nos in concione vidimus! quum . . . . statim ex his rebus, quas tum vendebat, jussit ei*, &c. Stürenburg: *vidimus, cui quum libellum . . . . jussit ei*, &c.

19. Libellum, any short composition. Cf. O. *Trist.* 3, 14, 51: *Qualemcumque igitur venia dignare libellum.*—*Poeta de populo*, i. e. an obscure, unknown poet = εἷς τῶν πολλῶν, *vulgaris.* Cf. *Divin. in Cæc.* 16, 50: *de populo subscriptor addatur.*

20. Subjecisset, "*had put* (or *thrust*) *into his hands.*"—*Quod . . . . fecisset.* Matthiæ thinks the subj. refers the assertion to the poetaster (who would say "*feci in te epigramma*"), although Cicero adds the description of the metre. With this Orelli's paraphrase accords: "quem ego ipse in concione vidi, quum ei vulgaris aliquis poeta in manus timide porrecta dextra tradidisset libellum, non carmen, sed breve scriptum, quo præmium petebat, propterea quod in ejus laudem composuisset epigramma (quod tamen; addit Cicero, quid aliud erat quam, ut solent esse ista Græculorum poematia, numerus tantummodo aliquot distichorum elegiacorum, nulla elegantia, nullo lepore?)" Nauck, however, makes *quod . . . . fecisset* the thought of Sulla. Nor does *in eum* determine the question. See Z. 550.

21. Alternis versibus longiusculis, "*in longs and shorts.*"—*Tantummodo . . . . versibus longiusculis*, i. e. whose only merit was that they consisted of longs and shorts: "hoc est, in quo nihil aliud erat nisi alterni versus longiusculi, nulli sales, nullum acumen, nihil

nisi disticha." S. By *longiusculus* the hexameter line is alluded to as longer than the pentameter.

22. Vendebat. Z. 713.—*Sed ea conditione.* The common text, *sub ea conditione,* is contrary to the usage of Cicero. Nauck: *tribui, ea conditione.*

23. Qui .... duxerit = *quum ille duxerit.* Z. 564.

24. Tamen, i. e. bad as the poet, and consequently the poem was. —*Hujus* referring to Archias, not *cujus* with Stürenburg and Benecke, by which the sentiment is made general.

25. Virtutem in scribendo. So *oratoriæ virtutes, Brut.* 17, 65; *oratoris vis illa divina virtusque, de Or.* 2, 27, 120; *comica virtus,* Epigr. of Julius Cæsar in Suet. *vit. Ter.* p. 46, ed. Wolf.—*In scribendo* (rather than *scribendi*); the prep. refers it to *expetisset* (?). M. *Scribendi* would limit *virtus; in scribendo* denotes the object, in quo illa virtus cernitur. Benecke.

27. Per Lucullos. According to Plutarch the Luculli were kinsmen of Metellus, and the mother of L. Lucullus the sister of Q. Metellus Numidicus, the father of Pius.

29. Cordubæ. *Corduba,* the modern Cordova in Spain. What poet or poets are meant here is unknown.—*Pingue,* coarse, inelegant in the character and amount of its ornament. Cf. *Orat.* 8, 25: *Itaque Caria, et Phrygia, et Mysia, quod minime politæ minimeque elegantes sunt, asciverunt aptum suis auribus opimum quoddam et tanquam adipatæ dictionis genus.*—*Sonantibus. Brut.* 74, 259: *Cotta sonabat contrarium Catulo, subagreste quiddam planeque subrusticum. De Orat.* 3, 12, init.: *nihil sonare aut olere peregrinum.* Z. 383, in fin.

30. Peregrinum. Foreign or provincial; they could not write pure Latin.—*Aures suas dederet* = "libenter audiret." So *aures suas dare alicui, Att.* 1, 5. *Vide .... quibus .... aures sint deditæ meæ, Att.* 2, 14, 2.

CH. XI.—**33. Optimus quisque maxime.** Z. 710, *b.*—*Ipsi illi philosophi. Tusc.* 1, 15, 34: *quid nostri philosophi? nonne in his ipsis libris, quos scribunt de contemnenda gloria, sua nomina inscribunt?* Matthiæ says that Cicero always uses *inscribere* with *in*; but Stürenburg quotes *vestris monumentis nomen suum inscripsit,* from *d. Harusp.* 27, 58; an oration which some think not genuine: so *inesse in aliqua re,* not *rei. Inscribere librum alicui* would be to *dedicate* it to him. *Ipsi illi* = *tantopere celebrati.* Manutius. Klotz: *in illis libellis.*

36. Prædicari de se ac nominari volunt, i. e. *volunt nominari,* and *volunt de se prædicari,* = *ut* de se *prædicetur;* i. e. *prædicari* is, so to speak, used *impersonally.*

37. Decimus quidem Brutus, who *ante tempus excisæ Numantiæ, penetratis omnibus Hispaniæ gentibus, ingenti vi hominum*

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104 *urbiumque potitus numero, aditis quæ vix audita erant, Gallæci cognomen meruit*, Vell. Paterc. 2, 5. *Similiter honoratus animus erga poetam Accium D. Bruti, suis temporibus clari ducis, exstitit; cujus familiari cultu et promta laudatione delectatus, ejus versibus templorum aditus, quæ ex manubiis consecraverat, adornavit.* Val. Max. 8, 14, 2. Cf. *Brut.* 28, init. He was consul with P. Corn. Scipio Serapio A. U. C. 616. *Quidem*, after proper names, = *saltem*, but with nearly the force of "*for instance*," one being selected out of many persons mentioned or alluded to. The force seems to be: "*he* at all events" (and therefore probably others).

38. Accii, the old tragic poet Accius (or Attius), born B. C. 170. Cicero had often conversed with him in his youth (*Brut.* 28). His tragedies were mostly imitated from Æschylus, but some on Roman subjects (*prætextata*), e. g. one entitled *Brutus*, probably in honor of his patron. He is praised for the strength and vigor of his language, and the sublimity of his thoughts. Cf. Smith's *Dict. of Biog.*—*Templorum ac monumentorum. Monum.* genus; *templa*, species. It was customary for generals to institute, from the portion of booty which fell to them, public festivities, or to erect public monuments. Some here understand the temple of Mars, others private sanctuaries of D. Brutus, upon which he caused the Saturnian verses of his friend to be inscribed.

40. M. Fulvius (Nobilior), who conquered the Ætolians. *Cato objecit, ut probrum, M. Nobiliori, quod is in provinciam poetas duxisset: duxerat autem Consul* (A. U. C. 565) *ille in Ætoliam, ut scimus, Ennium. Tusc.* 1, 2, 3. He brought from Ambracia the "*Muses*" of Zeuxis, and founded a temple at Rome to them and Hercules. Cf. Plin. 35, 10.

42. Imperatores prope armati, i. e. who had hardly laid down their arms; who had but just returned from war; in opposition to the following *togati judices*.

105 **1. Atque, ut id libentius faciatis**; quum intelligetis, quantopere id ego cupiam Archiæ devinctus propter consulatum meum ejus ingenio celebratum.

2. De meo quodam amore gloriæ ... confitebor. Cf. *ad Fam.* 5, 12; *ad Att.* 1, 16.

4. Vobiscum simul. The art of the orator in seeking to enlist the feelings of the judges for Archias, by making them participators in the glory of his consulship, is apparent.—*Hujus urbis atque imperii.* Madvig: *hujusce imperii.*

5. Proque. Z. 356, in fin.

6. Inchoavit, non tamen ad terminum perduxit. *Att.* 1, 16, 15.

8. Adjuvi. The reading here differs greatly. Klotz and Stürenburg: *adornavi.* Sed nunquam h. v. sic utitur Cicero pro: "instruxi communicatis cum eo commentariis rerum in consulatu meo gestarum."

Orelli. Madvig: *adhortatus sum.* Nauck: *quibus auditis mihi magna res et jucunda visa est hunc ad perficiendum adhortari;* omitting *quod.* Other readings are *adoravi, adhortavi, hortatus fui, hortavi* and *hortatus sum.* Orelli's conjecture *adjuvi,* and Klotz's *adornavi* hint at Cicero's furnishing to Archias the materials, as he offered to do to Lucceius. *Fam.* 5, 12.

9. Præter hanc, i. e. *quam commemoravi.* Cf. *Philipp.* 5, 13, 35: *neque enim ullam mercedem tanta virtus præter hanc laudis gloriæque desiderat;* but he there adds more philosophically, *qua etiamsi careat, tamen sit se ipsa contenta.* Cf. also Hor. *Ep.* 1, 17, 42. Z. 767, *Note.*

11. Tantis nos in laboribus exerceamus? So *Tusc.* 5, 1, 3: *Casus, in quibus me fortuna vehementer exercuit.*

12. Si nihil animus præsentiret in posterum. *Pro C. Rabir. perd. reo,* 10, 29: *Itane vero? tantis in laboribus C. Marius periculisque vixisset, si nihil longius quam vitæ termini postulabant, spe atque animo de se et gloria sua cogitasset?* *Non est ita, Quirites,* &c. See the rest of the passage.

16. Nunc is here used (as the Greek νῦν) to oppose the *actual state of things* to the *supposed case* (*si nihil animus,* &c.) rejected.

19. Dimittendam, i. e. "*ita ut cum vita finiatur.*" *Dimittendam* is doubted by Orelli, because, with Lambinus, he thinks then not *cum vitæ tempore,* but *cum vitæ fine,* or *cum vita,* or *morte* would be required. Lambinus: *dimetiendam,* which Orelli thinks corresponds better with *adæquandam.* Stürenburg: *dimetandam.*

Ch. XII.—**21. Parvi animi.** Tam demissi, angusti, contracti. *Parvus animus,* "a narrow mind," which does not take the future into consideration.

25. An statuas, &c. On this form of argument, *a minore ad majus,* cf. note on p. 9, line 19. The following is an example, in which *nonne* occurs (as here) in the second clause:—*An vero, si domum magnam pulchramque videris, non possis adduci, ut, etiam si dominum non videas, muribus illam et mustelis ædificatam putes: tantum vero ornatum mundi, tantam varietatem pulchritudinemque rerum cœlestium, tantam vim et magnitudinem maris atque terrarum, si tuum, ac non Deorum immortalium domicilium putes, nonne plane desipere videare?* *De Nat. Deor.* 2, 6, 17. Madvig: *non multo malle,* &c.

29. Expressam refers to the truth and accuracy; *politam* to the finish and taste of the expression or representation.

30. Jam tum in gerendo = jam tum, quum gerebam.

31. Hæc . . . . a meo sensu. From my perception. *Hæc* refers to *memoriam sempiternam.*

32. Sive . . . . ad aliquam animi mei partem, &c. Cicero not uncommonly speaks of *partes animi;* e. g. *quid est autem se ipsum*

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105 *colligere, nisi dissipatas animi partes rursum in suum locum cogere? Tusc.* 4, 36, 78. Cf. *Acad.* 2, 39; *de Fin.* 5, 13, 36. He mentions *animus* to indicate that if any thing survives, it will be the *soul;* and he speaks *indefinitely,* to hint at the possibility of there being some difference in the perceptions or *faculties* of the soul after death. S. Madvig: *ad aliquam mei partem,* omitting *animi,* as Hor. *Od.* 3, 30, 6; Ovid, *Am.* 1, 15, 42.

33. Sapientissimi homines. Such as Pythagoras and Socrates, who taught the immortality of the soul.

36. Pudore eo. *Pudor* = σωφροσύνη· *ea modestia, quæ modum tenet in dictis factisque.* Cf. *Fam.* 5, 1: *quem si parum pudor ipsius defendebat.*

38. Vetustate = *vetere notitia;* their long-enduring friendship. Significat: vetere consuetudine, quæ ipsa signo est, virtutibus suis Archiam dignum se præstitisse Ciceronis præsertim amicitia. *Dignitatem* enim potius ceteris poetæ amicis, viris illustribus tribuit, sibi modestissime *vetustatem,* veterem, ut dixi, notitiam, quo significatu aliquoties utitur. Orelli. Klotz and Stürenburg: *venustate.* Sed de hominibus semper usurpat hoc v. Cicero cum leni εἰρωνείᾳ, veluti *Verr.* 5, 54, 142; *in Pison.* 28, 70. Accedit *de Off.* 1, 36, 130, *venustatem m u l i e b r e m ducere debemus, dignitatem virilem;* adeo ut, si Archiæ amicorum *venustatem* h. l. commemorasset orator, vel ipsi Catoni risum concitasset. Orelli. Süpfle, who also reads *vetustate,* notices, that in this remark Orelli goes too far, and refers to ch. 8, *artem ac venustatem;* and Steinmetz, in defence of *venustate,* refers to *de Orat.* 2, 56, 228, and, where *dignitas* and *venustas* are brought together, *ib.* 3, 45, 178; 1, 31, 142. Klotz and Nauck: *quanto id convenit.*—*Id .... quod .... expetitum esse videatis.* For *expetitum sit,* or *expetitum esse videtis.* Z. 551.

41. Comprobetur. Z. 556.

43. Divina. See above, § 18.—*Ingeniis.* Id est: "Si vobis, judices, viris tanto ingenio præditis, Archias non solum ab hominibus, ejus amicis, sed etiam a divina sua arte (a facultate poetica, cujus optimi vos estis existimatores), commendatus debet esse."

106 **2. Domesticis periculis.** This alludes to the Catilinarian conspiracy, which had been suppressed the year before.

4. Isque est, both the Greeks and the Romans pass to the demonstrative pron. from *the relative* in the *last clause* (or later clauses) of an *enumeration* (though there be but two members): "Quem (Pythagoram) Phliuntem dicunt venisse, *eumque .... disseruisse.*" Z. 806. Madvig: *estque ex eo* admodum probabiliter. Orelli.—*Eo numero, qui .... sunt habiti.* So *Agr.* 2, 14, 37: "*Quum ex eo numero, qui per eos annos consules fuerunt, multi mortui sint.*" Cf. ad 2 *Cat.* 10, 21. Z. 366. *Eo numero* in this sense is less usual than *ex eo numero.* The examples quoted by Stürenburg show that Cicero and other wri-

ters used *ex eo, hoc, illo numero* very frequently, *in eo numero* often, *de eo numero* rarely; but *eo numero esse* never, in the sense of "be among," "belong to." Süpfle here would take the ablative as the ablative of quality: "Archias is one of *that* class, belongs to the *honorable number* of those," &c. He compares *nullo numero esse.* Stürenburg (2): *isque est ex eo numero.*

9. Quæ non fori, &c. Madvig: *quæ a foro aliena judicialique consuetudine.* Nauck with Stürenburg: *quæ non ferme mea judicialique.*

10. Communiter, "in general," without any special reference to the case of Archias. "Quod nunc fere dicunt *generaliter.*"

12. Ab eo, i. e. Q. Cicerone, fratre meo, sc. accepta esse.—*Certe scio.* So the MSS. It used to be contended that *certo* with *scio* was the only correct usage. See Z. 266, *Note* 1. *Certe scio* significat: certum est me scire, et aliquantum differt a verbis *certo scire,* i. e. certa est mihi notitia rei. Hand, *Turs.* ii. 18. *Certe* relates more to the persuasion of the speaker, *certo* to the real state of the case. In other words, *certo* is *objective; certe, subjective.* Stürenburg makes *certe* an adverb, appropriated to the expression of a *feeling, certo* one that refers to the *understanding.* De fratre utrumque dici poterat; ex meo quidem sensu, de fratre meo locuturus, *certo* potius scripsissem. Neque id obliviscendum, mediæ quam dicunt ætati adverbium *certo* prorsus ignotum fuisse. Orelli. Here *certe scio* = an emphatic "I *know,*" and is opposed to *spero* which precedes. Cicero wishes to indicate hanc non esse meram spem, sed justam scientiam.



First Slob. Well James how do you like the [illegible] cut?
Second Slob. I dunno. As I was going [illegible]
stairs [illegible]

THE ORATION FOR T. ANNIUS MILO.

INTRODUCTION.

P. CLODIUS PULCHER first makes his appearance in history in A. U. C. 684, serving with his brother Appius under his brother-in-law, L. Lucullus, in Asia. Displeased at not being treated by Lucullus with the distinction he had expected, he encouraged the soldiers to mutiny. Afterwards, being intrusted by his other brother-in-law, Q. Marcius Rex, at that time proconsul in Cilicia, with the command of the fleet, he fell into the hands of the pirates, who however dismissed him without ransom, through fear of Pompey. He next went to Antiocheia, and joined the Syrians in making war on the Arabians. Here again he excited some of the soldiers to mutiny, and nearly lost his life. He now returned to Rome, and made his first appearance in civil affairs in A. U. C. 689, by impeaching Catiline for extortion in his government of Africa. Catiline bribed his accuser and judge, and escaped.

In A. U. C. 690, Clodius accompanied the proprætor, L. Murena, to Gallia Transalpina, where he resorted to the most nefarious methods of procuring money. He also had recourse to similar proceedings on his return to Rome.

Towards the close of 692, Clodius was guilty of an act of sacrilege, which is especially memorable, as it gave rise to that deadly enmity between himself and Cicero, which produced such important consequences to both and to Rome. The mysteries of the Bona Dea were this year celebrated in the house of Cæsar. Clodius, who had an intrigue with Pompeia, Cæsar's wife, with the assistance of one of the attendants entered the house disguised as a female musician. But while his guide was gone to apprize her mistress, Clodius was detected by his voice. The alarm was immediately given, but he made his escape by the aid of the damsel who had introduced him. He was already a candidate for the quæstorship, and was elected; but in the beginning of 693, before he set out for his province, he was impeached for this offence. The senate referred the matter to the pontifices, who declared it an act of impiety. Under the direction of the senate a rogation was proposed to the people, to the effect that Clodius should be tried by judices selected by the prætor who was to preside. The assembly, however, was broken up without coming to a decision. The senate was at first disposed to persist in its original plan; but afterwards, on the recommendation of Hortensius, the proposition of the tribune Fufius Calenus was adopted, in accordance with which the judices were to be selected from the three decuries. Cicero, who had hitherto strenuously supported the senate, now relaxed in his exertions. Clodius attempted to prove an alibi, but Cicero's evidence showed that he was with him in Rome only three hours before he pretended to have been at Interamna. Bribery and intimidation, however, secured him an acquittal by a majority of 31 to 25. Cicero, however, who had been irritated by some sarcastic allusions made by Clodius to his consulship, and by a verdict given in contradiction to his testimony, attacked Clodius and his partisans in the senate with great vehemence.

Eager to revenge himself on Cicero, that he might be armed with more formidable power Clodius purposed becoming a tribune of the plebs. For this it

was necessary that he should be adopted into a plebeian family. Repeated attempts were made by the tribune, C. Herennius, to get this brought about. But the triumvirs had not yet taken Clodius's side. Cicero, however, whose reliance was placed on the friendship and support of Pompey, in defending C. Antonius, provoked the triumvirs, and especially Cæsar, and within three hours after the delivery of his speech, Clodius became the adopted son of P. Fonteius (at the end of the year 694). The lex curiata for his adoption was proposed by Cæsar, and Pompey presided in the assembly. The whole proceeding was irregular, but Clodius was soon actively endeavoring to secure his election to the tribuneship, and succeeded in his object with the assistance of Cæsar, and entered upon his office in December, A. U. C. 695.

Clodius did not immediately assail his enemies. His first measures were a series of laws, calculated to lay senate, knights, and people under obligations to him. The consuls of the year he also gained over to his interests, and having thus prepared the way, he opened his attack upon Cicero by proposing a law to the effect, that whoever had taken the life of a citizen, uncondemned and without a trial, should be interdicted from earth and water. The proceedings which ensued ended in Cicero's withdrawing into exile.

Immediately after the banishment of Cicero, Clodius set fire to his house on the Palatine, and destroyed his villas at Tusculum and Formiæ. The greater part of the property carried off from them, was divided between the two consuls. To alienate Cicero's property irretrievably, he dedicated it to the goddess Libertas; and a small portion of the site of the dwelling on the Palatine, with part of the ground on which the portico of Catulus, which adjoined Cicero's grounds, had stood, was occupied by a chapel to the goddess. He went so far as to offend Pompey by aiding the escape of Tigranes, son of the king of Armenia, whom Pompey had brought a prisoner to Rome. In this instance also his services were purchased. Pompey, however, did not feel himself strong enough to resent the insult. Clodius soon assailed him more openly, and made an attempt, through one of his slaves, upon the life of Pompey, who now withdrew to his own house, and kept there as long as his enemy was in office.

The attempts made before the end of this year to procure the recall of Cicero proved abortive. Next year, A. U. C. 697, T. Annius Milo was tribune of the plebs, when his memorable and fatal contest with Clodius began. Milo was deeply in debt, and a wealthy province alone could extricate him. But without eloquence or political talent, the member of a comparatively obscure family could not hope to obtain the consulate, unless he identified his own interest with that of some one or other of the great leaders of the commonwealth. Milo, therefore, attached himself to Cn. Pompey, and Cicero's recall from exile was the immediate pretext of their alliance. In procuring Cicero's restoration, Milo, from his daring and unscrupulous character, was by far the most efficient of the tribunes. He combated Clodius with his own weapons. He purchased, after a faint and fruitless trial of constitutional means, a band of gladiators, and the streets of Rome were the scene of almost daily and always deadly conflicts between the two leaders of these paid assassins.

When the senate came to a resolution to propose to the comitia a decree for the restoration of Cicero, Clodius was the only one who opposed it; and when, on the fourth of August, it was brought before the people, Clodius spoke against it, but could do nothing more. The decree by which Cicero was recalled, provided also for the restitution of his property. Some difficulty, however, remained with respect to the house on the Palatine, the site of which had been consecrated by Clodius to the service of religion. The matter was referred to the college of pontifices, who returned an answer sufficient to satisfy all religious scruples; and the senate decreed the restoration of the site,

and the payment of a sum of money to Cicero for rebuilding his house. When the workmen began their operations in November, Clodius attacked and drove them off, pulled down the portico of Catulus, which had been nearly rebuilt, and set fire to the house of Q. Cicero. Shortly afterwards he assaulted Cicero himself in the street, and compelled him to take refuge in a neighboring house. Milo twice rescued him from the hands of the Clodian mob. The success of the combatants was nearly equal. Milo's houses in Rome, the Anniana on the Capitoline and another on the hill Germalus, were assailed by the Clodians, but Clodius was twice driven from the forum, and the last time narrowly escaped with his life. Nor did the rivals restrict their warfare to the swords of their adherents. With equal justice and consistency they accused each other of a breach of the *Lex Plotia de vi*, and with equal violence both eluded the results of prosecution. Clodius, however, notwithstanding Milo's repeated disruption of the comitia, succeeded in carrying his election for the curule-ædileship in A. U. C. 698, and was thus during his year of office exempt from impeachment. Milo, whose tribunate expired in December, 697, was on the other hand open to legal proceedings, and Cicero from dread of Crassus, who favored Clodius, refused to undertake his defence. It was, therefore, necessary for his safety that he should again hold an office of the state. But his bankrupt condition did not allow him to risk the expenses of the curule-ædileship, and there is no authentic record of his prætorship. In those convulsionary years of Rome, it is indeed likely that the sequence of magistracies was not very strictly observed. Milo, however, although never ædile, exhibited ædilitian games of unusual and, according to Cicero, of insane magnificence. He was enabled to give them by the bequest of a deceased curule-ædile whose name is lost, and he exhibited them in the year previous to his canvass for the consulship.

In A. U. C. 701, Milo was candidate for the consulship, and Clodius for the prætorship of the ensuing year. Each strove to hinder the election of the other. They collected armed bands of slaves and gladiators, and the streets of Rome became the scene of fresh tumults and frays, in one of which Cicero himself was endangered. When the consuls endeavored to hold the comitia, Clodius fell upon them with his band, and one of them, Cn. Domitius, was wounded. The senate met to deliberate. Clodius spoke, and attacked Cicero and Milo, touching, among other things, upon the amount of debt with which the latter was burdened. Cicero, to whom Milo's election was of vital importance, defended him in the speech *De ære alieno Milonis*, of which a few fragments are still extant. The contest, however, was soon after brought to a sudden and violent end. On the 20th of January, A. U. C. 702, Milo set out on a journey to Lanuvium. Near Bovillæ he met Clodius, who was returning to Rome after visiting some of his property. Both were accompanied by armed followers, but Milo's party was the stronger. The two antagonists had passed each other without disturbance; but two of the gladiators in the rear of Milo's troop picked a quarrel with some of the followers of Clodius, who immediately turned round and rode up to the scene of dispute, when he was wounded in the shoulder by one of the gladiators. The fray now became general. The party of Clodius were put to flight, and betook themselves with their leader to a house near Bovillæ. Milo ordered his men to attack the house. Several of Clodius's men were slain, and Clodius himself dragged out and dispatched. The body was left lying on the road, till a senator named Sex. Tedius found it, and conveyed it to Rome. Here it was exposed to the view of the populace, who crowded to see it. Next day it was carried naked to the forum, and again exposed to view before the rostra. The mob, enraged by the spectacle, and by the inflammatory speeches of the tribunes Munatius Plancus and Q. Pompeius Rufus, headed by Sex. Clodius, carried the corpse into the Curia

Hostilia, made a funeral pile of the benches, tables, and writings, and burnt the body on the spot. Not only the senate-house, but the Porcian basilica, erected by Cato the Censor, and other adjoining buildings, were reduced to ashes.

The immediate effect of the death of Clodius was to depress the Milonian, and to reanimate the Clodian faction. Milo at first meditated voluntary exile. But the excesses of his opponents made his presence once more possible at Rome. The tribune of the plebs, M. Cælius, attended him to the forum, and Milo addressed the assembly in the white robe of a candidate, and proceeded with his consular canvass. But a more powerful, though secret, opponent had meanwhile risen up against Milo. His competitors in the comitia were P. Plautius Hypsæus and Q. Metellus Scipio. Cn. Pompey had married a daughter of Scipio, and from Hypsæus he expected aid in gratifying the prime object of his ambition—the dictatorship. A bill for his appointment was not indeed promulgated. But the senate nominated him sole consul. Pompey immediately brought forward three laws, which, from their immediate reference to the circumstances of the times, were in fact *privilegia*. In the first he specially noticed the murder at Bovillæ, the conflagration of the Curia Hostilia and the Porcian Basilica, and the attack upon the house of M. Lepidus the interrex. In the second, he introduced more stringent penalties for *ambitus*; and in the third he increased the severity of the existing laws against *sodalitia*, or illegal interference with the freedom of the comitia. The time allowed for trials *de Vi*, *Ambitu*, *Sodalitiis*, was also much shortened, only three days being assigned to the accusation, the defence, and the examination of witnesses. M. Cælius opposed these laws on the ground that they were *privilegia* and retrospective. But Pompey stifled all opposition by surrounding his house and gardens with soldiers, and withdrawing himself from the senate and the forum, on pretence of dreading Milo's violence. A variety of charges and recriminations was brought forward by either faction. The slaves of Milo and Clodius were respectively required to be given up to the torture; and perjury and intimidation, the forms of law, and the abuse of justice, were put in active requisition. Milo, however, was not without hope, since the higher aristocracy, from jealousy of Pompey, supported him, and Cicero undertook his defence. His trial opened on the fourth of April, A. U. C. 702. He was impeached by the two Clodii, nephews of the deceased, *de Vi*; by Q. Petulcius and L. Cornificius, *de Ambitu*; and by P. Fulvius Neratus, *de Sodalitiis*. L. Domitius Ahenobarbus, a consular, was appointed quæsitor or investigator, by a special law of Pompey's, and all Rome and thousands of spectators from Italy thronged the forum and its avenues from dawn to sunset during these memorable proceedings. But Milo's chances of acquittal, faint even had justice been decorously administered, were wholly marred by the virulence of his adversaries, who insulted and obstructed the witnesses, the process, and the conductors of the defence. Cn. Pompey availed himself of these disorders to line the forum and its encompassing hills with soldiers. Cicero was intimidated, and Milo was condemned. Had he even been acquitted on the first count *de Vi*, the two other charges of bribery and conspiracy awaited him. He therefore went into exile. Cicero, who could not deliver, rewrote and expanded the defence of Milo—the extant oration—and sent it to him at Marseilles. Milo remarked, "I am glad this was not spoken, since I must have been acquitted, and then had never known the delicate flavor of these Marseille-mullets." Milo's exile was a heavy blow to his numerous creditors.

The close of Milo's life was as inglorious, as his political career had been violent and disgraceful. Milo expected a recall from Cæsar, when, in A. U. C. 705, the dictator permitted many of the exiles to return. But better times

were come, and Rome neither needed nor wished for the presence of a bankrupt agitator. Milo's former friend, the ex-tribune M. Cælius, prætor A. U. C. 706, promulgated a bill for the adjustment of debts—a revolutionary measure, for which the senate, where the Cæsarian party had then a majority, expelled him from his office. Cælius, himself a man of broken fortunes, required desperate allies, and he accordingly invited Milo to Italy, as the fittest tool for his purposes. At the head of the survivors of his gladiatorial bands, reinforced by Samnite and Bruttian herdsmen, by criminals and runaway slaves, Milo appeared in Campania, and proclaimed himself a legatus of Cn. and Sextus Pompey. He found, however, no adherents, and retreated into Lucania, where he was met by the prætor, Q. Pedius, and slain under the walls of an obscure fort in the district of Thurii.—*Dict. Gr. and Rom. Biog. and Mythol.* CLODIUS *and* MILO.

ANALYSIS.

IN the introduction the orator confesses, that the sight of the place of trial surrounded by armed men is somewhat terrifying to him: he however expresses his conviction, that Pompey has adopted this arrangement only the better to secure to the law its due course; and his assurance that the better class of citizens are strongly inclined in favor of Milo. (Ch. 1.) The rest, a turbulent mob, composed of the hirelings of Clodius, will fail to frighten the judges, who now have an opportunity to testify to a man who deserves so well of the lovers of their country, as Milo, the sympathy which is his due. Then follows an intimation of his leading position: that the taking of Clodius's life was an act of self defence. (Ch. 2.)

The oration itself may be divided into three parts.

1. A refutation of the allegations of the opponents:—

(*a*) "That the taking of human life is in all cases inexcusable." This is invalidated by examples drawn from Roman history, from the myth of Orestes, by the laws of the twelve tables, and by the nature of the case. (Chaps. 3, 4.)

(*b*) "That the taking of Clodius's life was a violation of the Roman constitution." The senate, as Cicero also admits, did indeed make use of this language; but it wished, notwithstanding, that the case should be tried under existing laws, only immediately, without the delay which would ordinarily ensue from awaiting its turn. Pompey, on the other hand, carried a special law for this case. But he wished only to secure the course of justice, and in fact recognised the possibility of Milo's acquittal. (Chaps. 5, 6.)

(*c*) "The murder of Clodius is the more deserving of punishment, because it occurred on the Appian road, which is a monument of his illustrious ancestor." The renown of Drusus and of Scipio Africanus the younger did not protect them from murder, which was not even investigated. Clodius too had previously contaminated the Appian way by a deed of murder. He had also attempted the life of Pompey and others; and no special investigation had on that account been ordered. (Ch. 7.)

(*d*) Pompey's measures, and the choice of the judges, who are distinguished men, furnish no ground for an unfavorable judgment against Milo. (Ch. 8.)

2. The proof that Milo killed Clodius in self-defence.

(*a*) The narrative of the circumstances of the affair, and explanation of the

causes which led Clodius to attempt the life of Milo. Clodius wished to be prætor and Milo consul for the same year. This was quite contrary to the desires of Clodius. Clodius, therefore, did not attempt to conceal the fact, that he wished, expected, and would bring about the death of Milo. (Ch. 9.) Clodius took advantage of the occasion of a journey, which Milo was called to make on business, to lie in wait for him. The time and manner of his journey exonerate Milo from the suspicion of having intended to waylay Clodius; while Clodius appears to have been prepared to commit murder. The attack commenced against Milo. Several of his retinue were slain; the rest supposed Milo had already fallen; without his command or knowledge they killed Clodius. (Ch. 10.)

(*b*) Application of the principle of justifiable homicide in self-defence to Milo, who confesses the deed, but claims for himself justification therefor. (Ch. 11.)

(*c*) The proposition that Clodius was the waylayer, is drawn out more particularly.

(1) Milo's death would bring great advantages to Clodius: under such a consul as Milo, he would not have been able to carry through his projected law for introducing freed slaves into the tribes. An apostrophe to Sextus Clodius, who, for the purpose of exciting the people, deprived the corpse of Clodius of honorable burial. (Ch. 12.)

(2) The hostility of Clodius was to Milo, on the other hand, in his canvassing for the consulship, not so much a hinderance as an advantage, since Milo seemed the only one capable of restraining, by means of the consular power, the mad projects of Clodius: therefore the death of Clodius was injurious to Milo, and could not for that reason have been designed by him.

(3) Clodius hated Milo personally; but Milo, Clodius only from political grounds. (Ch. 13.)

(4) Clodius has always loved and practised violence, particularly in the banishment of Cicero. (Ch. 14.)

(5) Milo on the other hand has used violence only in defence of the constitution, and generally, where he has had an opportunity to kill Clodius, has treated him with forbearance: e. g. on the occasion of Cicero's recall from banishment, and in other disturbances. (Ch. 15.)

(6) Milo could not have had any plan or purpose to take the life of Clodius, because of the nearness of the consular election, and for fear of losing the favor of the people.

(7) Clodius on the other hand had always shown contempt for the tribunals and for public opinion. He believed, if Milo were put to death, he would have all power in himself alone.

(8) Cato is witness, that Clodius said, Milo must be put to death. (Ch. 16.)

(9) Clodius knew that Milo about this time would be passing on the road in this vicinity, and hastened to precede him, even to the neglect of much in Rome. Milo did not know that he would meet Clodius: his journey was necessary for the performance of an official duty connected with the rites of religion. (Ch. 17.)

(10) Cicero, in his own defence, urges, that he could have had no knowledge of a plan to murder Clodius. The pretext for the return of Clodius from his estate, viz. to enter upon an inheritance, was a mere fiction. He journeyed to meet Milo on the road. (Chaps. 18, 19.)

(11) The place where the fray took place, shows that Clodius and not Milo entertained the murderous design; so also does the retinue of both.

(12) The circumstance that Milo had armed men among his followers is not surprising, since he was not at any moment secure against Clodius. (Ch. 20.) Milo bestowed their freedom upon his slaves, not from fear that confession would be forced from them by torture, for he confesses the fact him-

self; but because he wished to give them a merited reward, as the preservers of his life. (Ch. 21.)

(13) The depositions of the slaves of Clodius are illegally demanded, and unreliable. (Ch. 22.)

(14) The confidence with which Milo appeared in public soon after the killing of Clodius, and the contempt which he showed for the rumors and false accusations in circulation, prove his innocence: he was not even afraid of Pompey, though attempts were made to excite his suspicions against Milo. (Chaps. 23, 24.)

(15) Milo is rather, although Pompey appears not to believe it, sincerely devoted to him, and might also at some later day be of service to him. (Chaps. 25, 26.)

3. An appeal to the judges to acquit Milo.

(*a*) Were Milo guilty, Pompey, by virtue of the extraordinary power intrusted to him, would have been able, ere this, himself to punish him. (Ch. 26.)

(*b*) Clodius deserved death far more than others who in former times have been put to death. An enumeration of his crimes. (Ch. 27.)

(*c*) An intimation of what would have been to be feared from him.

(*d*) It follows, that Milo's act is highly meritorious, since it may be called tyrannicide. (Chaps. 28, 29.)

(*e*) The removal of Clodius is a benefit conferred upon the Roman people by the immortal gods, whose presence and power have been signally displayed in the destruction of this abandoned wretch, and in the preservation of Rome from many evils. (Chaps. 30–33.)

(*f*) Milo is commended to the sympathy of the judges, for his firm bearing and the composure with which, conscious of his sincere love of his country, he faces the possible unfavorable issue of this trial: for what he deserves of all true patriots and of Cicero, for the sacrifice which he made to secure the object of bending and controlling the violence of the mob, as directed by Clodius against the fortunes of the higher ranks: for the fame which he has won, and the universal applause with which his deed has been hailed. (Chaps. 34, 35.) Cicero also, in his own name, as a grateful friend, asks the regard both of the judges and of the soldiers present for the accused, reminding them of the suppression of the conspiracy of Catiline, of his own exile, and his recall through the instrumentality of Milo. (Chaps. 36, 37.) Milo does not regret his deed. He deserves the thanks of his country, and the judges will by his acquittal show a manly spirit, and that too without offending Pompey. (Ch. 38.)

The following brief outline of the argument in this oration we add from Folsom's edition.

The point of inquiry is, not whether Clodius was killed by Milo, for that is confessed; but whether he was not lawfully killed. This Cicero maintains in the affirmative, by laying down a general proposition, that it is lawful to kill the man, who lies in wait and attempts to kill you.

This general proposition he proves,—

1st. From the authority of the people, from former trials, and from the laws in being.

2d. From the silence of the laws passed on that occasion, either by the senate or Pompey.

Having established this general proposition, the orator proceeds to prove that Clodius comes precisely under that description; this he does,—

1st. From the advantages that were to arise to the deceased by the death of Milo.

2d. From the declared hatred he always expressed against Milo.

3d. From the criminal behavior of the deceased through all the scenes of his life.

4th. From his hopes of impunity.
And the evidence, upon which these circumstances are alleged, are the words and actions of the deceased.
The conclusion of the whole is, Milo acted in self-defence, and Clodius was lawfully killed.

CH. I.—**1. Fortissimo.** Compare Vell. Paterc. 2, 68: (Milo) *ultra fortem temerarius.*

2. Timere. See *p. Deiot.* 1, 1, and the references there given. Much of this kind of language we may regard as mere rhetorical art. In the present instance there was real cause for fear, and real fear. For the tribunes had held hostile meetings against Milo, and had endeavored to excite the people against Cicero too, for so warmly undertaking the defence of Milo; and so far succeeded, that not only Milo but Cicero also was hated by the greatest part of the populace. The unusual preparations too, to prevent disturbance, added to his alarm. When Cicero began to speak the partisans of Clodius commenced a threatening outcry, for the purpose of intimidating him, and could not be restrained even by fear of the armed soldiers who were stationed around. Compare, on this exordium, Quinctil. 11, 3, 47, sq.

5. Novi judicii. The trial of Milo was extraordinary, by a special commission, instead of before the established tribunals. Pompey, on being appointed consul without a colleague, issued an edict that no one should carry any weapon in the city, and in a few days proposed new projects of law in the senate, two of which, after a decree of the senate, he promulgated to the people. One law was *de vi*, and expressly comprehended the murder which had been perpetrated on the Appian road, the burning of the curia, and the assault upon the house of the interrex M. Lepidus. The other law was *de ambitu.* These laws heightened the punishment, and abridged the judicial process. They limited the taking of the testimony to three days, confined the speeches of the accuser and the accused to one and the same day, allowing the former two, the latter three hours. For the trial of Milo, Pompey carried through a bill, that the people should choose a quæsitor from the number of the consulares. L. Domitius Ahenobarbus was chosen. Also the other judices appointed by Pompey were of such a character, that there was but one voice, that never had more eminent or more conscientious men been appointed judges.—*Nova forma.* The shops were shut throughout the whole city, soldiers posted in the forum, and at all the entrances to the forum, and Pompey with a select guard took his station before the ærarium. When Cicero began to speak, the Clodian faction set up an outcry and clamor. They were not even deterred by the guard of soldiers.

6. Quocunque inciderunt. Z. 521, *Note.*—*Consuetudinem.* Al. *veterem consuetudinem.*

Page 107 **7. Requirunt** = desiderant, miss.—*Corona.* The ring or crowd of people, that were gathered around, when a public trial, which enlisted their sympathies, was in progress. They represented the popular voice, and were an index of public opinion. Therefore the orators were in the habit of paying much regard to the *corona.* See *Brut.* 84, 290.

9. Stipati sumus, tanquam honoris aut custodiæ causa: nam hoc proprie est *stipare,* non simpliciter circumdare.—*Nec illa præsidia,* &c. The text in this passage is very doubtful. The better MSS. give *non illa præsidia;* the common editions, *nam illa præsidia.* Garatoni proposed *nec illa præsidia,* and was followed by Madvig. The double *non .... non afferunt* of the MSS., appearing strange and unusual, occasioned the change of the former into *nam.* Klotz, however, who is followed by Süpfle and others, defends the first *non,* placed at the head of the clause, which the second rhetorically repeated before *afferunt* does not destroy, as giving energy and emphasis to the language. In the following clause also the negation is made prominent a third time, by saying: *ut .... tamen ne non timere quidem possimus,* instead of *ut .... tamen etiam non timere possimus.* The sense of the passage then is as follows: Those guards do not secure ...., I repeat, they do not secure to the orator, that we here in the forum, and before the tribunal ... can be so fearless, that we should not at least have some fear. To this view Madvig objects, that the position of *non* in the beginning of the sentence, before the subject, and its rhetorical repetition before the verb in a sentence which flows so smoothly, and without excitement, is unusual and uncalled for. Besides, if the repeated *non* is equivalent to a single negation, *aliquid,* he remarks, is barbarous. Further, the sentence, *ut ne non timere quidem,* &c., is so annexed, as to require that an intimation of fear caused (not a mind relieved) should precede. Moreover, the connection of the sentence with the preceding, and the continuation of the thought, is against the *non,* which seems to have arisen from the repetition of the *non* with *usitata.* Gradually approaching his subject, the orator does not simply affirm, *Atque etiam ipsa illa præsidia afferunt oratori aliquid et animum ejus perturbant,* but employs the form of affirmation which arises from the negation of the opposite.—*Præsidia.* Compare §§ 71, 96, 101; *de opt. gen. dic.* 4, 10; and Lucan, *Pharsal.* 1, 319, ff.

Quis castra timenti
Nescit mixta foro? gladii quum triste minantes
Judicium insolita trepidum cinxere corona,
Atque auso medias perrumpere milite leges
Pompeiana reum clauserunt signa Milonem?

—*Pro templis omnibus.* Templum Saturni, ædes Concordiæ, ædes Vestæ, templum Minervæ, templum Castoris.

11. Oratori aliquid. After *oratori* in some texts *horroris* or *terroris* is found. So Matthiæ retains *terroris*, claiming, against Garatoni, who makes *afferunt aliquid* = timorem aliquem efficiunt, or habent in se, quod timorem injiciat, that *afferre* is not a *vocabulum medium*, but always, when taken alone, = *prodesse*.

13. Ne non timere quidem, &c. Cf. *Rosc. Am.* 24, 66: *ne pii quidem sine scelere esse potuerunt; in Vatin.* 11, 27, *ne recte quidem facere sine scelere potuisse.*—*Sine aliquo timore.* See Z. 709, and note on p. 13, line 18.

14. Cederem tempori. Klotz: *cederem temporibus.*

15. Orationi. Another reading is *oratori*, which does not so well stand opposed to *vis armorum.*

16. Pompeii, &c. Cicero wishes to conciliate Pompey by these complimentary expressions.

17. Putaret, si hoc ab eo peteretur. *Putaret*, etiam nunc; *putarit*, semel antea.

19. Temeritatem concitatæ multitudinis. See Z. 672. Pompey had received unlimited power from the senate to preserve the safety of the state. Had he, therefore, intended by his guards to effect the suppression of Milo and his friends, the thoughtless mob would have turned their weapons against the judges even, if they had voted for Milo.

21. Centuriones. Cf. ch. 37, 101. The centurions were subaltern officers. Their badge was the vitis; promotion to the centurio primi pili (primus pilus, primipilus). They were commonly chosen from the tribuni militum, and their pay was double that of the gregarius miles. *Non .. sed ... neque solum .. sed etiam ... neque auxilium modo .. verum etiam.* The student should attend to the variety and difference of such forms of expression.

22. Præsidium denuntiant. Zeugma. Z. 775.—*Quieto.* For the fear inspired by the "nova forma" was banished by a proper consideration of the motives of Pompey in posting the guards.

25. Quæ quidem est civium. At least as far as it is composed of citizens. Cicero hints either that the Clodians who were present were not citizens, or that slaves formed part of that faction.

28. Exspectantes videtis. Some editions omit *videtis* here, and after *intuentes* give *cernitis.*

29. De liberis, &c. Compare ch. 28. Cicero urgently endeavors to identify the cause of his client with the general interest of all citizens and of the state. See *p. Flacc.* 1, 3. *Marcell.* 11, 34.

Ch. II.—**1. Unum genus est .... eorum.** See note on p. 24, line 8.

2. Rapinis. The outrages of Clodius are enumerated by Cicero in his several orations. He had plundered the treasury, sold provinces, burned the house of Q. Cicero and the temple of the nymphs, and by

Page 108 means of his gladiators kept up perpetual alarm in the city. See chaps. 24, 27, 28.—*Omnibus exitiis publicis.* Every thing that can contribute to the destruction of the state.

3. Pavit. The expression is contemptuous. Cf. *p. Sest.* 46, 99: *Qui .... seditione pascantur; de Off.* 2, 11, 40.—*Hesterna ... concione.* The tribune Munatius Plancus, in a speech made the day before this trial, had exhorted the people not to let Milo escape with impunity. Compare ch. 26, § 71.

4. Voce præirent. Eleganter inest acerbitas; quasi formulam ipsam sententiæ præiverint, a qua vel paululum discedere nefas esset, ut in precationibus et jurejurando. Said of those who repeated the forms of oaths, imprecations, &c., to the persons obliged to take them. So verba (carmen) præire, verbis præire, and the corresponding phrases in verba vovere, jurare.—*Judicaretis.* A modern latinist would be inclined to say *judicare deberetis.*—*Si qui.* Z. 136.

5. Retineatis. The penalty under the lex Pompeii de vi was probably the *aquæ et ignis interdictio.*

7. Neglexit, &c., in his tribuneship; five years before this time.—*Pro vestra salute* = in vestra salute defendenda, pro vestra salute propugnans. Some prefer *præ vestra salute.*—*Adeste animis.* Cf. *Somn. Scip.* 1 extr. *Sed ille, Ades, inquit, animo, et omitte terrorem, Scipio.* Be composed, retain your presence of mind; and often simply, pay attention.

11. Amplissimorum ordinum. The lex Aurelia was now in force, by which the judices were chosen equally from the senators, equites, and tribuni ærarii. Hence in connection with the ordo senatorius and the ordo equester, an *ordo plebeius* was sometimes spoken of. Cf. § 5; ch. 8, 21; 35, 95; and *p. Muren.* 39, 83. The superlatives with *ordines* are epitheta ornantia.

12. Ut sua studia. So also Klotz. The common reading is *ubi sua studia.*

13. Re et sententiis. Namely, by acquitting them. Opposed respectively to *vultu et verbis.* Cf. *ad Fam.* 1, 9, 17; *p. red. in Sen.* 7, 16. Cicero always sided with the party of the optimates.

14. Ut statuatis. Cicero seeks to interest the feelings of his judges in the fate of Milo: 1. by putting him on a par with himself, an acknowledged patriot; 2. by testifying his constant deference to their authority; 3. by the modesty of his petition, which only sought encouragement for himself, not vengeance on his enemies. The words, too, are appropriate and complimentary: *fidem,* the honor of a judge; *virtutem,* the firmness necessary to meet the audacity of the Clodians; and *sapientiam,* the wisdom to counteract the rashness of the mob.

18. Nobis duobus. Cicero identifies himself with his client. Garatoni would strike out *duobus,* and understand *nobis* of the whole

body of the optimates. The case is the ablative construed with *magis*.

19. Laboriosus. This word, as also *sollicitum* and *exercitum*, is used here in a passive sense. *Laboriosus* = multis laboribus et ærumnis affectus.

20. Præmiorum. The offices of the state. The contrast between *spe amplissimorum præmiorum* and *metu crudelissimorum suppliciorum*, while it shows their disappointment, lays claim to a higher degree of pity from the audience. Others read *exitiorum* instead of *suppliciorum*.

23. Dumtaxat. See note on p. 85, line 8. Cicero expected Milo to be tossed by the winds amidst the billows of popular assemblies, because he had merited the resentment of the mob; but he thought that his troubles should end there; and that his enemies would have no hopes, &c.—*Fluctibus concionum.* The same figure is frequent in the Attic orators. *Conciones* were mostly called by the tribunes of the people. There was no voting in the *concio*, but the *suasio* and *dissuasio legis* took place here, and in the *comitia* the *lex* without further discussion was accepted or rejected by votes. Quinctil. 8, 6, 48, says that the words *dumtaxat fluctibus concionum* give a mixed character to the allegory in this passage, which were otherwise pure.

24. Quia semper. So also Klotz. Others, *quod semper*.

27. Spem ullam esse habituros .... ad .... salutem exstinguendam. See note on p. 48, line 9.

28. Non modo .... sed etiam. "I don't say ... but," or "not ... but." See Z. 724, and note on p. 64, line 36.

29. Tales viros. *Tales viri* solemni quadam et honorifica appellatione Ciceroni in orationibus judiciariis judices audiunt. *Tales* rarely follows its substantive.—*Quamquam*, &c. Cicero had alluded to the public services of Milo, and expressed his surprise at his enemies hoping to foil him before judges, whose authority he had always supported; lest, however, he might seem to rest his cause on this, or admit the inference, that because Milo had saved the city, Milo might therefore slay the citizens with impunity, he corrects himself, and adds that he will not so apply Milo's patriotic actions; at least before he shall have established the fact of Clodius being the aggressor. Compare *p. Planc.* 1, 3.

30. T. Annii tribunatu. A. U. C. 697. Milo's services to the state during his tribunate reduced themselves mainly to his merit in effecting the recall of Cicero from banishment. Cf. ch. 37, 102: *post red. in senat.* 8, 19, and 12, 30: *Quibus autem officiis T. Annii beneficia remunerabor? cujus omnis actio, ratio, cogitatio, totus denique tribunatus nihil aliud fuit nisi constans, perpetua, fortis, invicta defensio salutis meæ.* Cicero, especially in the orations delivered after his return from exile, reminds us not seldom of the expression of Louis

Page 108 XIV., "*L'état, c'est moi.*"—*Rebusque.* Klotz follows the most MSS. and reads *rebus omnibus.* The enclitic is explicative, and = id est rebus omnibus.

31. Abutemur. Not simply for *utemur*, but of wrong or unseasonable use, or of the application of a thing, contrary to its natural use or original intention. The public services of Milo were performed with the view of gaining the esteem of his countrymen, not of shielding himself against a criminal charge. Cf. *Lig.* 1, 1, *ut ... abuterer.*

32. Nisi oculis videritis, &c. In the early editions the punctuation differs, so that these words do not begin a new period, but attach, as a condition, to what precedes. Cicero's proposition is: Clodius was justly slain, whether as being an intended assassin, or as being the scourge and ruin of his country. The former point, which occupies from ch. 12 to ch. 27, he calls *de causa;* the latter, from ch. 27 to ch. 34, he calls *extra causam.*

34. Merita. See ch. 28, where the services of Milo are alluded to in terms of the highest eulogy.—*Nec postulaturi.* The killing of Clodius being a public benefit, Milo might have urged this as his motive; Cicero, while he admits the beneficial result, will not adduce that argument as long as it may be doubted whether the merit of it belongs to the fortune of the Roman people, or the courage of Milo. This very doubt is most complimentary to Milo.

36. Populi Romani felicitati. See chaps. 30–33.

37. Sin illius, &c. Cicero here varies the hypothetic statement "nisi oculis," &c., as also the inference, which ought to be—"then will I have recourse to Milo's services," &c.; whereas it is—"then will I implore you to leave untouched the principle of self-defence." These two inferences comprise the entire defence, both "de causa" and "extra causam." Others read *sed si illius.*

CH. III.—**41. Ad eam orationem,** i. e. eam partem orationis. So the Roman jurists use *hoc edictum* for *hic titulus* or *hoc caput edicti.*—*Quæ est propria vestræ quæstionis,* sc. uter utri insidias fecerit. *Quæstio,* a public trial, so called from *quærere,* because the guilt or innocence of the accused was therein inquired into.

42. Ea esse refutanda. These objections, whose refutation is properly prefixed to the general defence, were three:—1. *Negant intueri .... fateatur;* that an avowed homicide was unworthy of life. 2. *Sequitur .... esse factam,* ch. 5; that the senate had already decided the cause against Milo. 3. *At enim Cn. Pompeius .... fuit,* ch. 6; that Pompey by his law declared his belief of Milo's guilt. On the propriety of the orator's refuting these objections before he proceeds to the narration, see Quinct. 4, 2, 24, sqq. 5, 11, 12, who remarks, that by preparing the judges for the reception of the case, they virtually constitute an exordium. Schol. Bob. ad h. l.: Hæc qualitas M. Tullio

propria est, ut antequam argumentationes impleat, victoriam prælibet in ipsis propositionibus. 108

43. In senatu. Referring to the account given by Q. Metellus Scipio, before Milo was accused. Klotz: *Sæpe ab inimicis jactata sunt et in concione sæpe ab improbis,* &c.

2. Negant, &c. This is a fundamental proposition of the accusation. It is the lex talionis; life for life. But the penalty of death did not attach to the condemned Milo. For the language is, 1. negant *fas* esse: 2. civil death was, in the view of a Roman, equivalent to the punishment of natural death. 109

4. Primum. The first on record, or oldest traditionary capital trial, where *provocatio ad populum* and a *judicium populi* were exercised; Dion. Hal. 3, 22: γενόμενος δὲ θανατηφόρου κρίσεως τότε πρῶτον ὁ Ῥωμαίων δῆμος κύριος.

5. M. Horatii. The story of Horatius, who slew his own sister, for mourning over the fate of her lover, one of the Curiatii, whom he had just slain, is given by Livy, 1, 26.—*Nondum libera civitate.* Still under kingly government, and therefore more unlikely to be influenced by popular feeling.

6. Tamen. With reference to the implied quamquam in the participial construction. Z. 635, *Note.*—*Comitiis.* As this was before the institution of the *comitia centuriata* and *tributa,* we must supply *curiatis* with *comitiis.*

9. Recte et jure factum. Cf. 6, 15, and 9, 23. *Recte* may refer to natural and *jure* to positive law, unless we take them as a circumlocution. The distinction is taken between a question of law and a question of fact.

10. Nisi vero. Z. 526.—*P. Africanum* Minorem. Cf. *de Orat.* 2, 25, 106.

11. C. Carbone. He was tribune A. U. C. 623, and a contemporary and friend of the Gracchi. Val. Max. 6, 2, informs us that Carbo, when he was exciting the people to revenge the death of C. Gracchus, hoped to be assisted in attaining this object by the weight and authority of Africanus, the husband of Sempronia, the sister of the Gracchi, who he imagined could not avoid speaking in favor of his brother-in-law. He therefore dragged Scipio to the forum, before he had well entered the city, and put to him the interrogation in the text.

12. Seditiose. Cf. ch. 27, 72.

13. Jure cæsum is a legal formula. When Scipio Africanus in Numantia heard of the death of Ti. Gracchus, he is said to have exclaimed: ὡς ἀπόλοιτο καὶ ἄλλος, ὅ τις τοιαῦτά γε ῥέζοι. Plut. *Ti. Gracc.* 21.

14. Ahala ille Servilius. Notice the order. Usually the nomen precedes the cognomen. On the persons here mentioned, see 1 *in Cat.* chaps. 1 and 2.

15. Me consule, senatus. Cicero elsewhere is in the habit of

Page 109 claiming to himself alone the merit of saving his country in the conspiracy of Catiline. Here he does not say *aut ego*, for obvious reasons.

16. Nefas esset. See 30, 83.

17. Fictis fabulis, sc. tragicis.—*Doctissimi homines.* ἀοιδοὶ σοφοί. So Plato calls poets πατέρες τῆς σοφίας ... καὶ ἡγεμόνες. Compare *Tusc.* 1, 1, 3: *apud Græcos antiquissimum sit e doctis genus poetarum;* Lucret. 2, 599: *Veteres Graium docti cecinere poetæ.* Cicero, *p. Rosc. Am.* 24, makes another use of this allusion.

18. Eum. Orestem.

19. Variatis hominum sententiis. The court of the Areopagus were divided. According to Æschylus, sixteen were for condemning, fifteen for acquitting. Minerva joined herself to the fifteen, which made the division equal, and amounted to an acquittal.

20. Divina. Some read *humana.*

21. Duodecim tabulæ. The fragment of the twelve tables reads thus: si nox (nocte) furtum factum sit, si im occisit (*si eum* for *furem occiderit*), jure cæsus esto. Cf. *pro Tull.* 20, 47, and 50.

22. Telo. *Inst.* 4, 18, 5: *Telum* autem, ut Gaius noster interpretatione legis duodecim tabularum scriptum reliquit, vulgo quidem id appellatur, quod ab arc umittitur, sed et omne significatur, quod manu cujusdam mittitur: sequitur ergo, ut et lapis et lignum et ferrum hoc nomine contineatur. Others read *defenderit* and *defendat.*

CH. IV.—**28. Vi vis illata defenditur.** D. 9. 2, 45, § 4: *Vim enim vi defendere omnes leges omniaque jura permittunt.*

31. Afferebat. *De Invent.* 2, 42, 124: Relatio criminis, ut in eo milite, qui, quum communis lex omnium hominem occidere vetaret, tribunum suum, qui vim sibi afferre *conaretur,* occidit. Plut. *Mar.* 14, calls the soldier Trebonius; Val. Max. 6, 1, 12, C. Plotius; Quinctil. 3, 11, 14, Aruncius. The tribune's name was C. Lusius.

34. Quid comitatus nostri, quid gladii. As the Roman roads were often insecure, travellers had armed guards to accompany them.

36. Non scripta, sed nata lex. A paraphrase of the *jus naturale;* "the right that is born with us," νόμος ἄγραφος. The classical jurists also class self-defence under the *jus naturale* (*gentium*). D. 9, 2, 4: *adversus periculum naturalis ratio permittit se defendere.* Cf. ch. 11, § 30.

37. Didicimus, the general term, of which *accepimus* = audivimus, and *legimus* are species. So in the antithesis, *hausimus* is the more general expression, in which *arripuimus* and *expressimus* are included, the former expressing eager grasping of that which is adapted to our nature, the latter conveying the idea of the exact representation of the original or model. On the harmony and rhythm of this passage, see *Orat.* 49, 164, and 5; and Quinctil. 9, 3. See also Z. 822.

40. Et in tela. Some read *si in tela.*

42. Silent enim leges, &c. Compare note on p. 63, line 1.

1. Etsi persapienter, &c. This is a correction of *silent enim leges,* &c.: as if he said, "Though why say the laws are silent amidst arms, when in their silence they sanction the principle of self-defence by not barely forbidding homicide, which they do as a matter of course, but also to carry arms with a hostile intention;" the obvious inference from which was, that they might be carried if that intention did not exist. This Cicero calls *tacite dat .... potestatem defendendi.*—*Ipsa lex,* i. e. Cornelia de sicariis et veneficis. *Lege Cornelia de sicariis et veneficis tenetur, qui hominem occiderit .... quive hominis occidendi causa cum telo ambulaverit.* D. 48, 8, 1. *Lex Cornelia de sicariis, quæ homicidas ultore ferro persequitur,* &c. *Inst.* 4, 18, 5, where Justinian has introduced the *ultore ferro persequitur* into the *lex Cornelia,* which made the penalty *aquæ et ignis interdictio,* i. e. exile. In Justinian's time the punishment was made capital.

2. Non hominem occidi. Klotz: *non modo hominem occidi,* i. e. does not merely prohibit the killing of a man, but the carrying of a weapon, &c. For though the *occidere* is more than the *telum .... habere,* yet Cicero regards it as the reverse in the law, which considers more the intention to kill than the killing itself. See note on p. 64, line 36.—*Esse cum telo.* This was prohibited by the Twelve Tables. Cic. *ad Att.* 2, 24, 3: *Fit senatus consultum, ut Vettius, quod confessus esset se cum telo fuisse, in vincula conjiceretur. In Vatin.* 10, 24. *In Verr.* 5, 3, 7: *ut ne quis cum telo servus esset.* On the notions comprehended in the generic word *telum,* see Arnold's Nepos. *Dat.* 11, 3.

3. Quum causa, &c. = quum quæreretur, quæ causa fuisset teli gestandi, non habueritne telum is, qui occidit, i. e. by questioning the *motive,* not the *fact* of carrying arms.

6. Maneat in causa. Cf. *de Off.* 3, 12, 49: *Maneat ergo: quod turpe sit, id nunquam esse utile,* &c. Cicero conceives that he has now fully established the legality of homicide in self-defence, and thus refuted the first præjudicium.—*Non enim.* Z. 808.

7. Probaturus sim, i. e. de veritate defensionis meæ vobis persuasurus sim; make good to you, &c.

8. Oblivisci non potestis. Quia est lex naturalis, quæ sui defendendi causa alium interficere jubeat.

CH. V.—**10. Sequitur illud.** He begins the refutation of the *prejudicia,* 1. of the senate: 2. of Pompey. Cf. Quinctil. 5, 2.

11. Cædem, &c. The decree was expressed in general terms, but admitted of a particular application, which the opponents of Milo made. Cicero, therefore, contends for the general interpretation, and shows that in the various debates which had taken place in the senate since the death of Clodius, Milo's cause was invariably triumphant; that the charge against the senate of submitting to his (Cicero's) dictation, and not their own judgment, proved the strength of Milo's

Page 110 cause in the senate, and therefore that that body could never have intended to condemn Milo by the decree. Besides, that the decree was expressed in the form usual in the case of public disturbances, e. g. the burning of the senate-house, &c., and was voted by him, as no doubt it was by others too, as a condemnation of the fact, without deciding with whom the guilt lay. This clears the second *præjudicium.*—*Cædem, in qua,* &c. This expression is not simply = to the briefer form *cædem Clodii,* but comprehends the whole conflict, in which Clodius lost his life. Cf. 6, 15.

12. Contra rem publicam esse factam. This is a general formula, to denote any thing as dangerous or adverse to the state. It occurs in the words of decrees, as cited by Cicero, *ad Q. frat.* 2, 3, 3, and *ad Fam.* 8, 8, 6.

14. Quoties enim, &c. Below, ch. 35, he says: *Centesima lux est hæc ab interitu P. Clodii et .... altera;* a period which admitted of various discussions of the question in the senate.

16. Frequentissimo senatu. In Cicero's time the senate probably numbered over 500. See *ad Att.* 1, 14.

17. Summum. The common reading is *ad summum,* which is unciceronian. See Z. 271.

18. Declarant, sc. how fully the senate approved of Milo's conduct. *Declarare* is often put absolutely, without the addition of the pronoun *id* or *hoc.*—*Hujus ambusti tribuni plebis.* T. Munatius Plancus Bursa, who, with another tribune, Q. Pompeius Rufus, harangued the mob, which under their direction brought out the body of Clodius, and exposed it in the forum before the Rostra, that its wounds might be viewed. In their speeches they excited the populace against Milo; and, Sextus Clodius, a scribe, acting as leader, the people bore the corpse into the *curia,* where they made a pile of the benches, desks, tables, and books, on which they burned the body, setting fire to the curia, which was consumed, together with a portion of the Basilica Porcia, which was adjoining. Asconius says the tribunes did not cease haranguing, until the heat of the burning curia forced them to retire: therefore the derisive epithet *ambustus,* scorched, singed. *Ambustus,* however, *circumustus,* properly applies to one who has been struck by lightning, but not killed.

19. Intermortuæ, is explained by most as = inanes, futiles, inefficaces. It properly expresses the alternate sinking and reviving of one struggling between life and death, and is applied with bitter sarcasm to the harangues, which were, in the confusion of the scene, ineffectual and fruitless attempts, just dying, and as it were already dead before they reached the hearers.

20. Invidiose. For it was holding up Cicero to public odium to represent him as the tyrant of the senate.—*Quum diceret.* The general usage would lead us to expect the indicative here. See note

on p. 69, line 40. Kühner considers the subjunctive as expressing repetition; Madvig says the subj. stands when a fuller description of the manner of the action is added.

24. Apud bonos gratia. For the class denoted by Cicero as *boni, optimi, optimates, optimus quisque, principes,* see note on page 9, line 5. Cf. ch. 8, 21; *Sest.* chaps. 45, 48, 49; *de Off.* 1, 25.

25. Appelletur ita sane. Klotz: *appelletur ita sane potentia, dum ea nos,* &c.

26. Hanc vero quæstionem. Cf. *Phil.* 2, 9, 22.

28. Erant enim leges. Garatoni compares Demosthenes *de corona* Εἰσὶ νόμοι, κ. τ. λ. The *leges* were the lex Plotia *de vi,* the lex Cornelia *de sicariis,* &c., the lex Aquilia *de cæde.*—*Quæstiones,* sc. perpetuæ. See *Dict. Antiq.* Judex. Milo's was a special commission, the very appointment of which operates against him by giving an undue importance to the affair. Though in Cicero's times there were *quæstiones perpetuæ* for all leading crimes, special commissions were appointed in particular cases. For the people, by the organization of the former standing tribunals, did not surrender their supremacy and prerogative. Extraordinary questions were frequent, particularly in turbulent times.

29. Mærorem ac luctum. *Dolor* denotes an inward feeling of grief; *mæror* and *luctus,* an utterance or external manifestation of this inward feeling: *luctus* its artificial manifestation, designedly, and through the conventional signs of mourning, as cutting off the hair, mourning clothes, &c.; *mæror,* the more natural and involuntary manifestation of it in the gestures of the body, and in the countenance, by sighing and weeping.

31. Cujus enim de illo incesto stupro. See below, chapters 22, 59; 27, 73; 32, 87. Clodius, in order to carry on an intrigue with Pompeia, the wife of Julius Cæsar, had gained admittance, in disguise, to Cæsar's house, where the mysteries of the Bona Dea were celebrating. He was detected, however, but in the confusion effected his escape. Cicero calls the intrigue *incestus,* as polluting those sacred rites, at which males were forbidden to appear. *Harus.* 5: *Ea sacra, quæ viri oculis, ne imprudentis quidem, adspici fas est.* Juvenal goes still farther: *Ubi velari pictura jubetur, Quæcunque alterius sexus imitata figuram est.*—*Judicium decernendi.* Appointing a trial. Cicero, *ad Att.* 1, 13, informs us that the affair was, by a decree, referred to the pontifices, and by them declared a sacrilege; and that the consuls proposed a bill to the people, by which the prætor was empowered to select assessors to try the cause. This bill, it appears, was, by the influence of the Clodian faction, headed by the tribune Fufius, prevented from passing, and an amended bill substituted; according to which, judges, selected in the usual way, were to try the cause. Owing to the corruption of the judges, Clodius was

Page 110 acquitted. This Cicero calls *judicium decernendi senatui potestas esset erepta.*

34. Cur igitur, &c. The general disorders of the opposing faction, especially the burning of the curia, had excited greater displeasure in the minds of the better-disposed citizens, than the murder of Clodius. Cicero, therefore, mentions them in the order of their importance.

35. M. Lepidi. Two days after the death of Clodius, Lepidus was declared interrex. The factions of Scipio and Hypsæus, with a view to force on an immediate election, attacked his house, insulted his wife Cornelia, and even tore her webs out of the loom; but falling in with the rival faction of Milo, they were compelled to desist.

36. Quia nulla vis, &c. Cf. Seneca, *de ira*, 2, 31: *Nefas est nocere patriæ, ergo civi quoque, nam hic pars patriæ est. Sanctæ partes sunt, si universum venerabile est.* In the *libera civitas Romana* there was the closest connection between the welfare and interests of the citizen and the state. Violence done to a citizen was brought for trial before the *judicia publica.*

38. Illa, δεικτικῶς, e. g. paulo ante memorata.

39. Nisi vero. Z. 526. "Unless, indeed," &c., which it is absurd to assert; the loss of citizens, however abandoned, being still a loss. The usual indirect argument.

40. Ille dies, &c. Klotz: *ille dies, in quo Ti. Gracchus .... aut quo arma Saturnini, etiam si .... tamen non vulnerarunt.*

41. E re publica. Z. 309.

Ch. VI.—**43. Ego ipse decrevi.** "My own vote then was." *Decernere* is properly used of the sentences of the whole senate, though often applied to the vote of individual senators.

44. Non eum, qui se defendisset. For self-defence was just and right, and not a crime against the state.

111 **2. Crimen judicio reservavi,** judicibus inquirendum reliqui, ab utro illata fuerit vis et comparatæ insidiæ.—*Rem notavi,* vim et insidias, tanquam cædis causas improbavi. Cf. ch. 11, 31: *Senatus rem, non hominem notavit.* Vell. Pat. 2, 47: Clodius a Milone ... *exemplo, inutili, facto salutari reipublicæ ....* jugulatus est.

3. Furiosum illum tribunum. Munatius Plancus. *Furiosus* is a common epithet of the tribunes, implying that their occupation was to excite the people to acts of violence. On the meaning of *furere,* see note on p. 9, line 2.

4. Novam quæstionem, introduced by Pompey, under his new law. See Introduction, p. 377.—*Decernebat enim,* &c., de sententia Q. Hortensii, ut narrat Asconius.

5. Extra ordinem. *Extra ordinem quærere* is not to be confounded with the *nova quæstio.* The senate purposed no change in the laws or tribunals, but wished the cause of Milo, as one of special

importance, tried without delay, without waiting its turn on the docket.

6. Divisa sententia est. When a motion comprehended two or more particulars, any senator could have them put separately, simply by saying, *divide*. Here the points were: 1. *ut veteribus legibus .... quæreretur;* 2. *ut extra ordinem quæreretur.* This division allowed the rejection of one and adoption of the other measure.—*Postulante nescio quo.* Cicero doubtless knew, but wishes to show his judgment of the insignificance of the individual. Cf. ch. 24, 65, where the name is even given, and *p. Sest.* 31, 68. The name in this instance is given by Asconius and *Schol. Bob.* as Q. Fufius Calenus.

8. Empta intercessione. That of the tribunes Munatius Plancus and Sallust. When a tribune interposed his *veto*, the decree was not completely nullified, but retained a species of authority, intimated by the name *senatus auctoritas*, which, however, is sometimes used for *senatus consultum. Reliqua* stands in reference to the unobnoxious part, *ut extra ordinem quæreretur.*

9. At enim. The third præjudicium; sc. "that Pompey by his act had condemned Milo." This Cicero refutes, by showing that Pompey merely enacted an inquiry—that an inquiry, where the fact was acknowledged, implies an inquiry into the merits of the cause—that it will be seen by Pompey's own showing (*Jam illud ipse dicet,* &c.) that his act is attributable to no predilection for Clodius, but to the emergency of the case—that to act otherwise would be to overthrow the very nature of a law, in the eye of which all men, whether high or low, are equal, as appears from the instances of Drusus and Africanus, whose untimely and lamented fate called forth no new enactment—that to permit concomitant circumstances to have any weight in determining the amount of guilt, would be to make the atrocity of Clodius's death to be heightened, and that of his victim, Papirius, lowered, by their occurring on the Appian (i. e. Clodian) way, (*aut eo mors atrocior,* &c. § 17)—that in adducing an instance of Clodius's guilt, it was unnecessary to go back to Papirius, (*quid ego illa commemoro,* &c.,) the attempt to assassinate Pompey (as guilt consists in the intention) being as bad as murder itself; not to mention the repeated attempts on Cicero's own life, (*Quoties ego ipse,* &c. § 20.) Are we prepared to say, then, (asks Cicero,) that, while the great and good have had their lives taken away, or attempted, and no new law was called into existence by the public sorrow, Clodius's death has excited such general regret, that Pompey framed his bill to assuage it? No, (*Non fuit ea causa,* &c., § 21,) it was merely the fact of a reconciliation having taken place between Pompey and Clodius some time before, and in which Pompey wished to show himself perfectly sincere, that has called forth the law in question, (*timuit ne videretur,* &c., § 21;) which after all Pompey would not have proposed, were he not

Page 111 aware that whatever severity there might be in this enactment, it would be tempered by the firmness of the judges; the selection of whom, from the most illustrious orders, and particularly the respectability of him who presides, proved incontestably, that Pompey's sole motive was a regard to justice, &c. This Cicero considers sufficient to clear the *third præjudicium*, and he now proceeds to the defence itself, ch. 9.—*Et de re et de causa. De re* of the question of fact; *de causa* of the question of law. Ch. 22 init., the opposition of the law and the fact is thus expressed: *Quod igitur in causa quærendum est, id agamus hic; quod tormentis invenire vis, id fatemur.* Cf. *ad Fam.* 2, 6, 5: *Nunc tibi omnem rem atque causam meque totum commendo atque trado.*

10. Tulit, sc. rogationem. Pompey, on being appointed consul, prohibited the wearing of any kind of arms in the city, and carried a law *de vi*, in which he made special reference to the murder committed on the Appian road, to the burning of the curia, and to the assault on the house of the interrex.—*Facta esset .... occisus esset.* In legum formulis nihil frequentius quam istud imperfectum conjunctivi vel aliquoties repetitum. The reading *occisus est* or *fuit* is inadmissible, since *esset* doubtless belongs to the *rogatio.*

11. Nempe ut quæreretur. See note on p. 76, line 42.

13. At paret. *Paret* is an old *terminus judicialis.* See Gaius 4, 47; *Verr.* 2, 12, 31: *si judicium sit ejusmodi: L. Octavius judex esto: si p a r e t,* &c. Cf. *Verr.* 3, 22, 55, and 28, 69. In the present passage *condemnare* and *absolvere* are near by, as in the formula given by the prætor to the judex: *si paret .... condemna, si non paret .... absolve.*

14. In confessione facti = quum (etsi) factum concederetur.—*Juris .... defensionem suscipi posse.* See ch. 3, § 8.

15. Quod nisi vidisset, posse absolvi. *Quod* ad antecedentia relatum explicatur verbis *posse absolvi*, ubi nos *nempe* adderemus.

17. Salutarem .... literam .... tristem. The initials of *absolvo* and *condemno.* There was a third tablet, not mentioned here, which was marked N. L., i. e. *non liquet.* Each judge received these three tablets from the prætor, and when the vote was taken, threw one into the urn, which was provided separately for the different classes of judges, senators, equites, and tribuni ærarii. *Ad Q. frat.* 2, 6, 6. According to the tablets the prætor pronounced his sentence; when C. was the prevailing number, *videtur fecisse. Verr.* 6, 14; *Acad.* 2, 47, extr.; when A. predominated, *non videtur;* and when N. L. was the vote, the decision was adjourned, or a compromise effected. Cicero here means to say, that Pompey, if he had considered Milo guilty, would not have appointed a trial, since he could, by virtue of the power conferred upon him by the senate, have punished him himself.

21. Defensionem = potestatem sese defendendi.

22. Non interitum = non, an aliquis occisus sit.

23. Tribuendum. Clodiine causa, an temporis faciendum. No partiality for Clodius could have influenced Pompey to propose this law, but policy, and the soothing of the populace, which Sex. Clodius, and the wife of P. Clodius, and the deed itself, had greatly excited.

Ch. VII.—**25. Domi suæ**, on the Palatine; *in eo loco, ubi est, quæ quondam Ciceronis, mox Censorini fuit.* Vell. 2, 14. Compare note on page 9, line 4.—*Senatus propugnator.* Nam ut ait Vell. 2, 13: *senatui priscum restituere cupiebat decus, et judicia ab equitibus ad eum transferre ordinem.*

26. Pæne patronus. Vere patronus senatus dictus erat ejus pater. Vid. Suet. *Tiber.* 3.—*Avunculus hujus judicis nostri.* M. Cato Uticensis, whose mother, Livia, was sister of Drusus, and by a second marriage, mother also of Servilia, whose son was Brutus, the tyrannicide. Cf. ch. 16, 44.

27. Tribunus plebis, whose person was therefore inviolable.

28. M. Drusus. See Schmitz, *Rome*, p. 351. On the order of the words in this passage, compare note on p. 112, line 2. The emphasis lies in the predicates, and the name is added only for completeness. Cf. ch. 27, 74.—*Nihil.* Z. 677.

31. Illa nocturna vis. He was found dead in his bed, and commonly believed to have been strangled. Others supposed he died suddenly a natural death, while some thought he took his own life. Most authorities of that and the subsequent period agree in supposing he was murdered. This was Cicero's decided opinion. Suspicion fell upon the tribune C. Papirius Carbo. Schmitz, *Rome*, p. 334. For *quiescenti*, Klotz reads *conquiescenti.*

32. Quis tum non gemuit? Cf. *in Vatin.* 13, 31: *Quis tum non ingemuit? Quis non doluit*, &c. Klotz: *allata* for *illata.*

34. Necessariam .... mortem, quam naturæ necessitas affert, naturalem.

35. Quæstio.... lata est? An instance of brachylogy for *lex lata est, ut quæreretur.*

36. Alio .... alio. Z. 712: Nam cædes est, sive clarus homo, sive obscurus necatus est.

38. Mors quidem = sed mors.

39. Nisi forte. Z. 526.

40. Parricida. Many MSS. have *patricida*, and so Lambinus edited, to distinguish it from the wider signification of *parricida* and *parricidium.* The ground of the more extended usage of the word is partly rhetorical, partly legal. It originally denotes foul murder, and stands opposed to chance killing, or justifiable homicide. It was afterwards analyzed, and several kinds of punishable homicide were distinguished. In its more restricted sense it was the killing of parents, grandparents, brothers, sisters, and other near connections, as also of

Page 111 the patronus and patrona. In the signification of murder of one's father, it is of comparatively rare occurrence in Roman writers, although the derivation from *pater* was approved by them. Quinctil. 8, 6, 35. Perhaps the very old *parricida* (*pericida*) is to be derived from *παρά*, as in *παραπρεσβεύω*, *παραβαίνω*, and *cædere*. This *παρά* expresses perverseness, wickedness, and is to be found often in the Latin prefix *per* (*perfuga*, *perjurus*, *perduellio*). That the word did not take the form *percida*, may be owing to the high antiquity of the notion and the word, or to regard for euphony. Legal forms were not readily changed.

41. In monumentis majorum suorum, in via Appia. This road, which still partially remains, was made by Appius Claudius Cæcus in his censorship. Schmitz, *Rome*, p. 184. On the so-called plurale tantum *majorum*, compare Varro, *de R. R.*, 1, 2, 9, cujus *majores . . .* nam *Stolonis* illa lex, &c. Cf. *L. Manil.* 12, 33, for a similar use of *liberi*.—*Quod is . . . . sit interfectus.* Z. 549. Klotz: *necarit.*

43. Ab istis, Clodianis, with contempt.—*Proinde.* Z. 282 and 344, *Note.*

44. Non qua . . . . sed ubi = non ut ea . . . . sed ut ibi, and therefore *uteretur* and *latrocinarentur*. Z. 567. The Clodians, it seems, urged it as an aggravation of Milo's guilt, that he killed Clodius on a road constructed by his ancestors; and Quinctil. 5, 10, 40, points out the force of this part of the Clodian charge. On the same principle, M. Manlius could not be convicted while he remained in sight of the capitol. Liv. 6, 20. Cicero replies by admitting the aggravation, if his opponents will admit that Appius made the road to afford his posterity an opportunity of plundering there with impunity.

112 **1. Itaque.** Accordingly; i. e. supposing the road made for the above purpose.

2. Quum ornatissimum equitem Romanum P. Clodius M. Papirium. The order should be noticed, which appears chosen for the purpose of giving an ironical emphasis to the name of P. Clodius, in contrast with a highly respectable Roman knight, who, however, cannot compare with Clodius in ancestral dignity; and *M. Papirium* is added for explanation = viz. M. Papirius.

3. Papirium. Pompey had, some time before, brought to Rome the son of Tigranes, king of Armenia, as a prisoner, and after his triumph, put him under the care of Flavius, a senator. The young prince, assisted by Clodius, attempted to escape, but the ship, in which he embarked, was driven into Antium. Flavius on hearing this, hastened to recover Tigranes, when a rencontre ensued between Flavius and Clodius, in which Papirius, Pompey's friend, was slain. This was the origin of Pompey's enmity to Clodius.

5. Quantas tragœdias. What a commotion! Dem. *Cor.* *ὥσπερ ἐν τραγῳδίᾳ βοῶντα, ὦ γῆ καὶ ἥλιε καὶ ἀρετή.*

7. Usurpatur = vocatur, commemoratur, is talked of.

8. Sed quid ego illa commemoro? See note on page 44, line 7.

9. Comprehensus est. Cf. *p. Sest.* 32, 69; 38, 83: Plut. *Pomp.* 49.—*In templo Castoris.* On this occasion the senate was held in Castor's temple. It was built in honor of Castor and Pollux, for their espousing the cause of the Romans against the Latins. Liv. 2, 20, and 42. Suet. *Cæs.* 10: *Ut enim geminis fratribus ædes in foro constituta, tantum Castoris vocaretur.* Zumpt ad *Cic. Verrin.* 1, 49, 129: Nimirum ille Jovis, hic Tyndarei filius cedebatque divino sanguini humanus.

14. Num quæ. Z. 136.

15. Si res, si vir, si tempus. Each of these particulars is answered in the same order in the following sentence: *Insidiator erat,* &c.; *ei viro,* &c.; *eo . . . tempore.*

17. In vestibulo ipso senatus. *In Pison.* 12, 28, *deprehensus denique cum ferro a d s e n a t u m is, quem ad Cn. Pompeium interimendum collocatum fuisse constabat.*

18. Cujus in vita nitebatur. Z. 452. So *Somn. Scip.* 2: *tu eris unus, in quo nitatur civitatis salus.—Eo .... rei publicæ tempore.* A. U. C. 695, "pulso in exsilium Cicerone, Catone in Cyprum delegato, Cæsare in Galliis impedito."

19. Occidisset. Klotz and others *cecidisset.*

20. Nisi vero. Like *nisi forte* on the preceding page, line 39. See Z. 526.

21. Proinde quasi exitus rerum. Juvenal, 13, 209: *Nam scelus intra se tacitum qui cogitat ullum, Facti crimen habet.* See the story of Glaucus, son of Epicydes, in Herodotus, 6, 86. This general principle, in regard to the punishment of such crimes, was maintained in the earliest times, and expressly embodied in the *Lex Cornelia de sicariis.* Cf. D. 48, 8, 1, 3, and *ibid.* l. 14. *Divus Hadrianus in hæc verba rescripsit: In maleficiis voluntas spectatur, non exitus.—Exitus rerum, non hominum consilia,* i. e. quasi non hominum consilia, sed exitus rerum. When an affirmative clause is followed by another negative clause, so that the order can be inverted, and *non—sed* be substituted, the negative is expressed by the simple *non.* *Ac non* is used where a preceding statement is corrected, when *potius* may be supplied, and sometimes is added. It is then indicated that what follows *ac non* is true. Also *et non* is so used. In neither case is *nec* allowable.

24. Quoties. Thrice; ch. 14, 37.

27. Quæstionem tulisset. See note on p. 111, line 35.

CH. VIII.—**28. Stulti sumus.** Non cogitamus. It is thoughtless or foolish in us to venture to compare, &c.—*Qui .... audeamus,* i. e. quum audeamus. Z. 564. For in the preceding chapter he had really compared Drusus, &c., with Clodius. This passage is an in-

Page 112 stance of elegant and even eloquent irony. The verbs accurately correspond in importance with their subjects, forming together a descending series. Thus *luget* is the loudest grief; *senatus* the highest order; next *mæret—equester ordo*, and so down to *agri .... desiderant*. We may further notice in regard to the structure of the sentences, that in the first sentence *qui* is repeated with *Africanum*, and omitted with *Pompeium* and *nosmet ipsos*. In such a grouping the particle or other common word is often repeated in the first members, and omitted in the last, with a kind of evenness in the number of times of the occurrence and omission. Cf. *p. Cæl.* 14, 33: *non patruum, non avum, proavum, atavum, audieras consulem fuisse; Verr.* 5, 51, 133. In the remaining sentences, the anaphora and chiasmus should be observed. Of three clauses it is very common for the two first to be arranged anaphorically, while the last is chiastic to the former. The sentence *Luget—desiderant* furnishes a double instance of this. The artistic character of the period furnishes other points, which are worthy of careful attention and study.

34. Non fuit ea causa .... cur. Z. 562. The irony is dropped. Cicero having in language of the deepest pathos expressed the sorrow and mourning of all parts of the Roman state at the death of Clodius, now suddenly and briefly, against such a fiction, sets the plain truth, that there was nothing of the kind, but directly the reverse (*in communi omnium lætitia*).

36. Alta et divina. *Alta mens* esse videtur, quæ alte in rerum naturam quasi penetrat, ejusque intimos et abditos recessus explorat. Ernest. *mentem altam*, h. l. explicat, quæ res humanas contemnit, Garaton. quæ, tanquam e specula, plus ceteris videt. *Divina* autem mens, quæ sapientiæ deorum proxima videtur. Hæc etenim vox id omne continet, quod est maxime admirabile ac singulare.

39. Fides reconciliatæ gratiæ. Cf. ch. 32, 88. Pompey had quarrelled with Clodius on account of his attempt on Tigranes, but by this time they had found it convenient to make common cause with each other, and Clodius actively supported Pompey and Crassus when they became candidates for the consulship. Clodius hoped to be appointed on an embassy to Asia, and thus to have the opportunity of recruiting his exhausted pecuniary resources, and of getting from Brogitarus, and some others whom he had assisted, the rewards they had promised him for his services.

41. Quamvis = quantumvis. Z. 574.

42. Delegit .... ipsa lumina. L. Domitius Ahenobarbus was chosen quæsitor. Of the others, Asconius says: Aliorum quoque judicum, qui de ea re judicarent, Pompeius tales proposuit, ut nunquam neque clariores viros neque sanctiores propositos esse constaret.—*E florentissimis ordinibus.* Compare note on p. 108, line 11. Klotz: *ex florentissimis.*

43. Secrevit. Set aside, passed over. Pompey in choosing the judges had passed by Cicero's intimate friends, which was adduced by some as a proof of Pompey's hostility to Milo. He did pass over my *intimate* acquaintances (familiares), says Cicero; nor is that strange, for they are necessarily few; but admitting that he appointed good men, he did not, could not, pass over my friends and adherents (*studiosos mei*).

4. Consuetudines victus. This determines the meaning of *familiares*; sc. those who are in the habit of meeting in convivial parties.

5. Res publica = salus rei publicæ.

7. Non potuit .... non. Could not but. Z. 754.

8. Quod vero. Z. 627. But *in* that, &c.; i. e. Pompey's choosing you to preside, shows that he was in quest of no personal enemy of Milo; that he only wanted in the president, justice, &c.

9. Nihil .... aliud, nisi. Z. 735.—*Quæsivit* = spectavit, proprie nihil aliud ut adesset curavit.

11. Ut consularem necesse esset, huic quæstioni præesse. Domitius had been consul two years before with Appius Claudius.—*Principum munus esse.* Z. 448, *Note* 1.

14. Dederas enim. Asconius: Constantiam L. Domitii, quam in prætura præstitit, significat; nam eo tempore A. U. C. 687 quum Cn. Manlius (Manilius), tr. pl., subnixus libertinorum et servorum manu, perditissimam legem ferret, ut libertinis in omnibus tribubus suffragium esset, idque per tumultum ageret, et clivum Capitolinum obsideret, discusserat perruperatque cœtum Domitius, ita ut multi Manlianorum interficerentur. Quo facto et plebem infimam offenderat, et senatus magnam gratiam inierat.—*Insanias.* Z. 92. Klotz: *jam inde ab*, &c.

CH. IX.—**17. Si neque,** &c. He briefly recapitulates his answers to the præjudicia.

21. Et † electi judices. Garatoni conjectures *et ii electi*, &c. Klotz: *et electi*, &c., sine †. Matthiæ: *et delecti*, &c.; nam *eligi* non dicuntur judices, sed vel *legi*, ut § 21, vel *deligi*, aut *seligi*. *Deligitur* enim qui ex pluribus et idoneis, *eligitur*, qui ex promiscua multitudine legitur, ut ait Heusing. ad Cornel. N. *Ages.* 1, 3. Est igitur *delecti* vocabulum dignitatis; unde *delecti principesque* junguntur, *p. Sest.* 49, 104. *Vatin.* 9, 23: Hoc igitur prædicatum est simile iis, quæ de senatu et legislatore dicuntur; quod requirebat Ernest., ut necesse non sit addere *ii*, *et ii del. j.* But Doederlein says *deligere* means to choose, in the sense of not remaining undecided in one's choice; *eligere*, to choose, in the sense of not taking the first thing that comes.

24. Argumentis, &c. Klotz: *perspicere possitis argumentis.* Ch. 3, 7, *ut omne ... videre possitis.* The judges must first see what the question is, and then thoroughly examine the cause. Cf. chaps. 2, 6, and 26, 61.

Page 113 **25. Rem gestam .... dum breviter expono.** Quinctil. 4, 2. Sulpitius Victor also takes the following account of the affray, as a specimen of what a *narratio* should be: *aperta, brevis, probabilis.*

26. In prætura vexare. As he had previously done in his ædileship and tribunate. Chaps. 9, 26, and 33, 89.

27. Tracta esse comitia. Owing to the bribery and disputes of the candidates, the election of consuls for the year 701 had not taken place when it commenced; and the tribunes, partly from partiality to an interregnum, during which their power was under the least possible control, partly from the wish of having Pompey created dictator, by their cabals retarded it six months longer. Finally, Cn. Domitius Calvinus and M. Valerius Messalla were elected. D. Cass. 40, 45.

29. Qui non honoris gradum spectaret, i. e. non ideo præturam appeteret, ut per hunc gradum adscenderet ad consulatum.

30. L. Paullum. L. Æmilius Paullus, prætor A. U. C. 701. He belonged to the party of the optimates.

32. Annum suum. The lex Villia annalis, A. U. C. 574, determined the age for holding the curule offices. By it the prætorship was fixed to forty. Liv. 40, 44; *Phil.* 5, 17, 47.

33. Religione aliqua. He hints that persons, through religious scruples, resulting from defects in the auspices, occasionally omitted to sue for offices in their proper year. Clodius was not one of these.

36. Occurrebat ei. See ch. 18, 48, init. Klotz: *præturam futuram suam.*

37. Summo consensu. Consequently he did not fear his opposition; and therefore had no interest in killing him.

39. Competitores. P. Plautius Hypsæus and Q. Metellus Scipio. *Contulit se ad* = cum iis se conjunxit, ut dicitur *ad alicujus amicitiam se conferre.*—*Ita* = tanta diligentia, tanto ardore. His assuming to direct the canvass alone, against the wishes of the candidates, characterizes him as a bold and shameless disturber, who would not have scrupled to interrupt the comitia by violence.

40. Suis .... humeris sustineret. *Sest.* 66, 138: *suis cervicibus tanta munia atque rem publicam sustinent.* O. *Metam.* 2, 296: *Alas en! ipse laborat vixque suis humeris candentem sustinet axem.*

41. Convocabat tribus. In what way the people were prepared for elections, appears from the oration for Plancius.—*Se interponebat.* Either in a general sense, "became, as it were, a party concerned;" or, as Ernesti, "acted as bribing-agent for the candidates." *Planc.* 16, 38; 18, 44.

42. Collinam .... conscribebat. The *Collina* was one of the four city tribes. Since the libertini were added to them, they were less respectable than the rustic tribes, and now embraced the *fæx populi.* This *turba* or *factio forensis* demagogues and disorganizers

used as their instruments, especially at the time of elections. The numbers of the city *tribules* were very large. If, as Cicero says, Clodius made, or attempted to make, the Colline tribe entirely new, by excessive increase of the tribules, his aim was first to secure the vote of this tribe for the candidates whom he favored, but not his principal aim. *Conscribere* is a military term, ch. 28, 76; and an expression relating to public law, for "to enroll in a definite class of citizens." Liv. 1, 13. Comp. *Patres conscripti.* But in this sense it did not belong to Clodius. The word was also used of those who prepared the people systematically, according to its political divisions, for elections, and for this purpose collected them together by enrollment. *Planc.* 18, 45, and 19, 47. Klotz: *dilectu.*

43. Miscebat, i. e. res turbulentas concitabat ac moliebatur. *Turbare* is also used in a similar way.

44. Ubi vidit, &c., i. e. ubi vidit certissimum consulem fore virum, qui fortissimus et inimicissimus esset. Cf. *Sest.* 69, 144.

3. Suffragiis .... declaratum. See ch. 35, 96. The election had been frequently adjourned by the interference of the tribunes, and disturbed by the violent partisans of Clodius, but not till Milo's likelihood of success was manifest.

4. Occidendum Milonem. Cicero gives great prominence to this threat of Clodius throughout his argument. See §§ 26, 44, 52. That Milo made like declarations, in regard to Clodius, is apparent from *ad Att.* 4, 4.—*Servos agrestes et barbaros.* Clodius possessed estates in Etruria, near the Aurelia via, on which he had a number of slaves located, whom he could summon to Rome from time to time, to assist him in his enterprises. He had, no doubt, been found, too, a troublesome neighbor in the country.

5. Quibus, i. e. quorum ope, per quos.

6. Ex Apennino deduxerat. So a fragment of the oration, *de ære alieno Milonis*, 2, 2: *Eosdem ad cædem civium de Apennino deduxisti*, on which the scholiast says: Quasi hæc omnia in Catilinæ socium dicerentur, ita mentionem attulit Apennini, quem nuper ille cum exercitu obtinuerat.

8. Consulatum eripi .... non posse, vitam posse. When one verb is common to two clauses, of which one is negative and the other positive, the common verb is given to each clause. Notice the omission of the conjunction. Z. 781.

9. Significavit .... dixit. Cicero points out the difference, *Or.* 1, 26. *Significare inter se* dicuntur, qui sibi innuunt, &c.

10. Favonio. This celebrated imitator of Cato (ζηλωτὴς Κάτωνος, Plut.) suffered among the proscribed during the second triumvirate. Suet. *Aug.* 13.

11. Summum. See note on p. 110, line 17.

Page 114 **12. Hunc M. Catonem.** Cf. 27, 74: *hunc P. Varium .... judicem nostrum.* See note on p. 103, line 30.

CH. X.—**15. Ante diem XIII. Kal.** See note on p. 10, line 44. The names of months are adjectives agreeing with Kal. Id. Non. Here therefore *Feb.* should be read Februarias. Z. 38. Since the year of the decemvirs, in which January had only 29 days, was still in force at Rome, this date would be the 18th of January, A. U. C. 702. The reformation of the calendar by Julius Cæsar was effected A. U. C. 708, the last year of confusion. Klotz reads *difficile id scire a Lanuvinis;* and *ante diem tertium decimum Kalendas Februarias.*

16. Lanuvium. Behind the Alban mount, on the Appian way, was the city Aricia, about 160 stadia from Rome. Beyond Aricia lay Lanuvium, a city of the Romans, on the right of the Appian way. —*Ad flaminem prodendum,* sc. Junonis Sospitæ. Liv. 8, 14: *ædes lucusque Sospitæ Junonis communis Lanuvinis municipibus cum populo Romano.* Appian gives another reason for Milo's journey. *Prodendum* = renuntiandum or creandum, is the proper word for appointing priests of particular deities, as *cooptare* of augurs, *creare* of consuls, *dicere* of dictators, and *capere* of vestal virgins and the flamen dialis. But this usage was not always observed. In the municipia the *flamines* usually were not named from the deity on whom they attended, but from the people where they served. This flamen therefore would have been called *Lanuvinorum,* and for this reason Cicero may have omitted the name of the deity.

17. Dictator. The dictatura was of Latin origin, and very generally the highest office in the Latin cities; and as the rex in Rome was the head of civil and religious matters, so also were the chiefs of the Latin cities. Therefore the language of Cicero: *quod erat dictator.* Sometimes there were two chief magistrates in the municipia called duumviri, and when there was but one he was sometimes called prætor.

18. Ante suum fundum, i. e. in a locality well known to him, and favorable for his object. Cf. § 29, and ch. 20, init. *Villa* denotes a country-house, usually with a real estate; *fundus,* a real estate, usually with a country-house; *prædium,* sometimes a country-house, sometimes a real estate, like landed property.

19. Ita. Eo tempore. Ern. Cl. Quod barbare dicunt *his circumstantiis.* Matthiæ.

20. Concionem turbulentam. Cf. 17, 45.

22. Obire = attend on. So *diem, vadimonium obire.*

23. Milo autem. Compare Quinctil. 4, 2, 57, who remarks on the effect produced by this affectation of simplicity in his language in lulling the suspicions of the judges, and raising an idea of the straightforward conduct of Milo.

24. Calceos. The calcei senatorii were of various colors, orna-

mented with a *lunula*, or letter C (the original number of the senators), and fastened by four thongs of black leather, which were wound round the leg up to the calf. The calceus belonged to the toga ; the soleæ, to the tunica and lacerna. To the senator's dress belonged the tunic with the latus clavus. These were laid aside to assume the *pænula* or *lacerna* and *perones*.

25. Uxor, Fausta, filia Cornelii Sullæ.

26. Id temporis. Z. 459.

27. Si quidem . . . . venturus erat, as his friends contended.

29. Rheda. A large four-wheeled travelling vehicle, of Gallic origin, commonly drawn by mules, sometimes eight to thirty, yoked in pairs.—*Nullis Græcis comitibus.* Cf. 21, 55. It was the fashion among the wealthy Romans to patronise learned foreigners, and maintain them in their families. They were also, for entertainment or instruction, accompanied by them in their journeys.

30. Sine uxore. Fulvia.—*Hic insidiator.* Milo, ironically.

32. Pænulatus. The pænula was a garment of wool or leather, similar to the toga, but shorter and narrower, with sleeves. It was used in journeys, as a protection against the cold and rain.—*Magno et impedito.* Duplex comitatus significatur, servorum magnus et impeditus, i. e. impedimentis onustus, alter muliebris ac delicatus ancillarum puerorumque symphoniacorum. Hic opponitur *Græcis comitibus, impeditus comitatus* autem *impedimentis*, ut c. XXI, in. *expedito* Clodio Milo *pænulatus*, &c. The ablatives are *ablativi consequentiæ.*

34. Hora fere undecima. About 4½ o'clock in the afternoon, since it was on the 25th of October, A. U. C. 701, according to the true calendar. The *hora undecima* at the equinox would be 5 P. M. Asconius says the 9th hour, which would make it about 2½ o'clock, P. M. The key to the solution of the discrepancy is perhaps given by Quinctil. 6, 3, 49, who says the accuser of Milo charged him *quod Bovillas ante horam nonam devertisset, ut exspectaret, dum Clodius a villa sua exiret.* This stopping of Milo at Bovillæ (which is the first station on the Appian way from Rome), before the 9th hour, was perhaps a fact, which the accuser had proved. Cicero seeks to set it aside, by changing the time. He is, however, consistent, for at the end of the 18th chapter, he asserts that it was about the 10th hour Clodius received news, as was pretended, of the death of the architect Cyrus. Asconius again says the body of Clodius arrived in Rome before the first hour of the night, which would favor the correctness of the time, as fixed by him, and be inconsistent with the time assigned by Cicero Cf. Schol. Bob. p. 285. Orell.

35. Secus, in the sense of *alio tempore*, is not common

36. Superiore. They had the choice of the ground, and the farm was on an elevated situation. This and every like circumstance is set forth as corroborative of the charge that Clodius planned the

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114 waylaying and murder. It is a detailed description of a robber-manœuvre.—*Adversi.* Those in front.

37. Hic. Milo.

38. Illi, qui erant cum Clodio. It would appear that some of Clodius's party attacked the carriage in front, to prevent escape. Milo, on quitting the vehicle, began to defend himself against their assault. Clodius and the rest of his party, who had permitted the carriage to pass them a little, seeing Milo thus engaged, *ran back* (they were on their way to Rome) to attack him. But this did not require them all. The remainder (*partim*), therefore, with whom Clodius happened to be, fell in with the attendants of Milo, that were in the rear of the carriage (*qui post erant*, and therefore nearer the Clodian body), by whom Clodius was killed.

42. Ex quibus qui animo fideli, &c. The orator, with consummate skill, prepares the minds of the judges, by the mention of sufficient and almost necessary grounds for the murder, for the reception of the main fact, and in the very mention of the murder adds *servi Milonis* for oratorical effect, to show, what was the principal thing, that not Milo, but his slaves, committed the murder.—*Animo .... præsenti.* Cf. Terent. *Phorm.* 5, 7, 64: *Animo virili præsentique ut sis, para.*

44. Succurrere prohiberentur. Z. 544 and 607.

115 **1. Fecerunt id.** A periphrasis and euphemism.

2. Non derivandi criminis causa. Not with the view of laying the blame elsewhere.

Ch. XI.—**7. Vi victa vis.** Quam maxime cum Ciceronis consuetudine congruit, ut verba ab eadem origine ducta aut similibus literis scripta una in enunciatione conjungantur plura.

8. Nihil dico, &c. This line of argument was urged by some, and adopted by M. Brutus in a defence of Milo, which he wrote out and published, as if actually delivered. Quinctil. 4, 5, notices the ingenuity of Cicero in enumerating, while he professes to omit, the advantages likely to accrue from the death of Clodius.

11. Si id jure, &c. If the principle of self-defence is inadmissible. For *potuit* the common text gives *posset.*

12. Nihil habeo, quod defendam. Z. 562. Klotz: *quid defendam.*

13. Ratio, &c. These fountains of law are appropriately referred. For "reason" properly belongs to those who have improved their powers; the uncultivated are the slaves of "necessity;" nations are subservient to "custom," while the lower animals are directed by "mere instinct." Klotz omits *et* before *ratio.*

17. Quin simul. Without at the same time deciding. Z. 538.

19. Quod si ita putasset, ... optabilius .... fuit. Not *fuisset,* although we in such cases use a potential. Z. 519 *a.* If he

had imagined there was no alternative between the dagger of Clodius and the sentence of the judges, he would have preferred the former, as less dishonorable to you. Cf. *Rosc.* 3, 8.—*Dare jugulum. Rosc. Am.* 11, 30, *cervices Roscio dare.*

22. Illud jam, &c. Klotz: *non illud jam in judicium venit, occisusne sit,* &c.

25. Factas .... factum .... factæ. Recte Garatoni monet repetitiones ejusmodi aliquando ita esse necessarias, ut, eas effugere si velis, nihil proficias, nisi ut inepto labore te maceres, et, perspicuitate sublata, vitiosa fiat oratio. They form a kind of polyptoton. Quinctil. 9, 3, 37.

28. Notavit. *Notare* involves the notion of censure, derived from the censor's *nota.*

Ch. XII.—**32. Impune** = impunitum. Z. 365 in fin.—*Tum nos.* Klotz: *si ille huic, ut scelere solvamur.* Some read *tum ut nos.*

33. Quonam igitur pacto. His first proof, which occupies this and the following section, is, that Clodius would have gained by the death of Milo, and not Milo by the death of Clodius.

37. Illud Cassianum. Cf. *Rosc. Am.* 30, 84. L. Cassius was so remarkable for his strictness as a judge, that Val. Max. 3, 7, says: *Ejus tribunal scopulus reorum dicebatur.* When appointed, says Asconius, to judge the vestal virgins, of whom L. Metellus had condemned only one, Æmilia, and acquitted Marcia and Licinia, he condemned them also, along with several others.—*Cui bono fuerit. Cui* is dative of the person, and *bono* of the thing.

39. Hoc. Klotz: *hæc assequebatur.*

40. Non eo consule, quo, &c. Cf. 13, 34, and 33, 89.

41. Iis consulibus. Plautius Hypsæus and Q. Metellus Scipio. Cf. 33, 89.

43. Eludere is used absolutely, and = bacchari quodam modo et quasi per ludum ac jocum, nemine resistente, audacissime omnia permiscere, subvertere. See note on p. 9, line 2. Klotz: *posse se eludere.*

44. Cujus, Clodii.—*Illi,* consules.—*Ipse.* Klotz and others *ille.*—*Nec cuperent,* &c. Most editions, from a conjecture of Manutius, give *nec, si possent, reprimere cuperent, quum,* &c. Klotz and Süpfle retain the reading of the MSS. *nec, si cuperent, reprimere possent, quum,* &c., and make *cupere* denote the inclination of the feelings, the moral desire; *velle,* the energetic, efficient will. Cicero's meaning then is, that, as Clodius reasoned, the consuls would neither be able (morally), if they found it even desirable, to check his enterprises, since they supposed themselves bound in gratitude to him for so great a favor, nor, if they really wished it, were they in a condition (physically) to crush them. Madvig rejects this view, and assuming his conjecture to be the correct text, accounts for the reading of the MSS., by supposing that a careless copyist, not attending

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115 to the sense, was led by the form of the second member (*et, si vellent, . . . vix possent*) to carry back the conditional particle in the first member too to the beginning, and give it to the first verb. It is not so easy to explain how, according to the conjecture of Manutius, the verbs *possent—cuperent* should have changed places. Cicero simply says, those consuls would neither have had the will nor the power to restrain Clodius. Schultz agrees with Madvig.

116 **1. Tantum beneficium.** For Clodius had canvassed for them, ch. 9. *Convocabat tribus.*

4. An vero, judices. An eloquent amplification of the simple proposition: Clodius was about to enact pernicious laws in his prætorship, were Milo dead.—*Hospites* = peregrini. Cf. *p. Rabir. perd.* 10. *Adeone hospes hujusce urbis, adeone ignarus es disciplinæ consuetudinisque nostræ, ut hæc nescias? ut peregrinari in aliena civitate, non in tua magistratum gerere videare.*

5. Perigrinantur, ut Aristoph. *Equ.* 1120, ὁ νοῦς δέ σου παρὼν ἀποδημεῖ. Cf. *Acad.* 1, 3, 9: *Nam nos in nostra urbe peregrinantes errantesque tanquam hospites.*

6. Quas ille leges. Asconius, on ch. 32, 87, mentions that P. Clodius, among other measures, had prepared a project of law, by which freedmen, who now had the right of suffrage only in the city tribes, should be allowed the same in the rustic tribes, which embraced the freeborn. From about the year 639, they, after various changes, had again been brought into the city tribes, and remained in them to the close of the republic, although it was a favorite scheme of individual party leaders to gain for themselves partisans and influence by extending the suffrage of the freedmen.

7. Ac non. See note on p. 112, line 22.

8. Inusturus = tam alte impressurus, ut acriter sentiantur. *In Pison.* 13, 30: *Quæ lex privatis hominibus esse lex non videbatur, inusta per servos, incisa per vim, imposita per latrocinium.*

9. Sexte Clodi. He was the kinsman and secretary of Publius Clodius.

11. Palladium. Sex. Clodius was as anxious to save Clodius's laws, as formerly Metellus the priest was to preserve the Palladium, when the temple of Pallas was on fire. Plin. *H. N.* 743.

12. Instrumentum. An apparatus for carrying on a tribuneship; sc. a transcript of all such laws as a bad tribune could turn to the destruction of the state.

14. Atque per * * *. The *** indicate a lacuna or gap in the MSS. Klotz gives in brackets, with the text, the following attempt of Beier to supply the defect: *Atque per* [*omnes tribus divisis libertinis servos ille omnes, qui in libertate morarentur, lege nova additurus erat, ut ipsi cum ingenuis æqualiter suffragia ferrent.*] *An*, &c. The common text gives *deferre posses. Et adspexit*, &c., without

any mark of a lacuna. Peyron observed the want of connection, as also the absence of five lines from the Turin palimpsest, and from Quinctil. 9, 2, 54, supplied the last half of the gap. From other sources he attempted to restore the rest.

15. A se inventam. S. Clodius was a libertinus; therefore the malicious observation that he was the author of this law.

16. De nostrum omnium—. An instance of the figure ἀποσιώπησις. Z. 823.

19. Et adspexit me. *Phil.* 2, 30, 76, *At ... adspicis me, et quidem, ut videris, iratus.* The connection of these words with the preceding is still loose; but the language is animated, and the abruptness not out of place. "But see, he has cast such a look on me, as he was accustomed to wear, when he threatened all evils to everybody;" sc. in the tribunate of P. Clodius, when Sextus was the willing instrument of all the injuries inflicted on Cicero.

20. Omnibus omnia. Klotz: *omnia omnibus.—Lumen curiæ,* dicit, incendium sive flammam significans. Jocum ex ambiguo recte vocant Manut. et Abram. *Lumen* enim *curiæ* significare etiam poterat clarissimum senatorem, cujus dignitate moveretur.

CH. XIII.—**22. Sexte,** with the tone of familiarity, expressive of irony.—*Cujus* = quia mei.

23. Punitus es. A deponent verb. Cf. Quinctil. 9, 3, 6.

24. Cruentum, when it should have been washed and anointed. See ch. 32, 86.

25. Ejecisti. But it should have been placed in the atrium in state, and after eight days, have been carried out with ceremony. *Cadaver ejecisti* and *abjecisti* are chosen to express the carelessness and contempt with which he treated the corpse of his patron.

26. Imaginibus. See note on p. 131, line 14.—*Exsequiis.* A following to the grave; funeral procession, which *pompa* also here signifies, and is therefore only amplificatory. The procession crossed the forum, when the lectus funebris was set down in front of the rostra, and the laudatio pronounced. It then moved to the place where the body was burned without the city. The ashes were gathered into an urn (*condere*), which was placed in the tomb (*componere*). Nothing of this respect was shown to Clodius.—*Infelicissimis lignis.* An allusion to the distinction between *arbores felices* and *infelices* in the (Etruscan) pontifical language. An *arbor infelix* was taken for a gallows, which, it may be intimated, Clodius deserved. The body of Clodius, however, was burned with the benches, tables, &c., of the senate-house, which he emphatically calls *infelicissima.* So Catullus devotes the writings of a sorry poet, *infelicibus ustulanda lignis.*

27. Semustilatum. Cf. 32, 86: *Phil.* 2, 36, 91.—*Nocturnis canibus.* Ex Homerica formula κύνεσσι οἰωνοῖσί τε πᾶσι, quam Græci postea, Latinique maxime frequentarunt, detraxit aves, addiditque *noc-*

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116 *turnis*, quia de celeberrimo urbis loco agebatur. The bodies of the executed were thrown to wild beasts, to which allusion may here be made.

29. Laudare non possum, i. e. quamquam laudare non possum.

30. [Demonstravi, &c.] Here is again a lacuna. The italics in brackets are supplied by Beier. Others give *Audistis, judices,* &c. Another form of supplying the omission is, *Audistis, judices, quantum Clodio profuerit.* But this could have been said only in case Milo had been killed.

33. Non dicam admitteret, sed. Z. 724. *Admittere* is used absolutely of the commission of a crime. Cf. ch. 23, 64; 37, 103.

35. Eo. Clodio.

42. Solutam autem fore, sc. omni religione, omni metu legum, effrenem. Was likely to be unrestrained; explained by *constringere.*

43. Constringere, as a wild beast. Cf. 33, 89.

117 **2. At nunc.** Hitherto Milo had a strong claim on the favor of the good by his opposing Clodius; now, however, that being removed, he must adopt the usual methods of obtaining popular favor. Therefore he was a loser by the death of Clodius.

5. Frangendis furoribus. *Fractis* would imply the completion of the act. See note on p. 65, line 6.

6. Vos adepti estis, ne quem civem metueretis. Z. 618.

7. Fontem perennem. Cited by Quinctil. 8, 6, 7, where he treats *de egregiis metaphoris.*

10. Tentari cœptus est. The passive voice of *cœpi* with the passive infinitive is the regular construction in Cicero and Cæsar. See Krebs, *Guide,* 220 in fin; *P. C.* 150x; Z. 221 in fin.

11. At valuit, &c. *At* introduces an objection. Z. 349. *But you will say,* &c. The *second* argument, founded in personal animosity.

12. Punitor doloris sui. Sic *cupiditas puniendi doloris, de Orat.* 1, 51, 220, i. e. dolorem pœna de adversario sumpta satiandi, eum ulciscendi.

13. Non dico . . . . sed. Z. 724.

15. Quid enim, i. e. cur enim, τί οὖν.—*Segetem ac materiem suæ gloriæ.* A metaphor derived from agriculture. Cf. Liv. 6, 7: *hostis est quid aliud, quam perpetua materia virtutis gloriæque vestræ?* See Quinctil. 8, 6, 7.

16. Præter hoc civile odium, i. e. præterquam hoc civili odio. Z. 323. *Civile autem odium* est, ex dissensione rei publicæ s. civili susceptum, non e privata aliqua causa. Victor. *V. L.* 21, 19, proposed *commune odium.* Cf. ch. 29, 78.

17. Ille erat ut odisset. Some construe: *ille erat* (sc. is, talis) *ut,* &c. Others take the construction as = *erat, ut ille,* it was the case, that, &c. And *est ut* is not unfrequently found in this way, serving

to direct attention prominently to what follows. Z. 752. *Ille erat ut* would then be a case of synchysis, or commingling of words. But see Z. 562.—*Salutis meæ defensorem.* Cicero specifies three causes of enmity: 1. Milo, as tribune, had assisted in the recall of Cicero from exile; 2. he had opposed the Clodian mob in their attacks on the city; 3. he had accused Clodius. Klotz and others: *defensorem salutis meæ.*

18. Vexatorem furoris, eum, qui furiosa ejus consilia irrita reddebat.

19. Reus enim, &c. Milo A. U. C. 697 aimed to accuse Clodius under the *lex Plotia de vi,* but it did not come to trial. Cf. *Sest.* 41. From ch. 15, 40, we gather, that Milo made a second attempt to bring Clodius to trial. Cf. chaps. 14, 38, and 28, 77. Clodius retorted, with a like accusation against Milo. Cf. 15, 40. Klotz: *postremum.*

20. Quoad vixit. Because the cause never came to trial.

21. Tyrannum, i. e. Clodium, qui u n u s tum erat in re publica tyrannus.

CH. XIV.—**24. Reliquum est, ut,** &c. Z. 621. Having argued, 1. from the *cui bono;* 2. from personal hatred; he now urges the natural disposition of the parties; and shows that his client was always obedient to the laws; Clodius always turbulent. The *third* argument. —*Illum,* Clodium; *hunc,* Milonem. The irony of the passage is evident.

26. Per vim. The repetition of *vim* and the omission of the verb impart energy to the sentence. On the omission of the verb, see Z. 771.—*Quid? ego,* &c. Klotz: *Quid ergo, judices?*

27. Mærentibus vobis. Cicero was deserted by Pompey and Cæsar, the most powerful leaders in the state, and fearing the violent measures of Clodius, went into voluntary exile, whereupon the senators put on mourning. *Post red. in sen.* 5, 12; *Sest.* 11 and 12.—*Urbe cessi. Planc.* 10, 26: *quod me vel vi pulsum vel ratione cedentem;* on which the *Schol. Bob.* remarks: *prudenter hoc suspendit, ne aut damnatus aut exul fuisse unquam videretur.* Cicero is in the habit of calling his exile *discessus meus;* ch. 37, 103. *Sest.* 22, 49: *Servavi . . . rem publicam discessu meo . . . unus bis rem publicam servavi, semel gloria, iterum ærumna mea.*—*Judiciumne. Parad.* 4, 1, 27: *Non erat illa tum civitas, quum leges in ea nihil valebant, quum judicia jacebant,* &c.

28. Non servos, &c. i. e. nonne potius timui servos a Clodio conscriptos et arma, &c. By *servos* understand the Clodian mob, who followed Cicero, wherever he went, ridiculing his mourning garb.

29. Ejiciendi. 2 *Cat.* 7, 14, *in exsilium* ejectus; and *de Rep.* 1, 42 without this addition *populus interfecit aut ejecit tyrannum.* Cf. 38, 105. Möbius takes *restituendi* not simply for revocandi, but as = to restoration to his former rights and possessions as a citizen; and so

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117 *ejiciendi* non modo urbe, sed etiam possessionibus, therefore absolutely.

30. Diem .... dixerat. *Diem dicere* (ad populum) is the commencement of an accusation in a *judicium populi*, and belongs to magistrates. The meaning is to appoint a day for appearing before the people. It therefore corresponds to *in jus vocare* in the case of other tribunals. The tribunes threatened Cicero with it, because it was, they alleged, at his instigation that Milo killed Clodius.—*Multam irrogarat. Multam irrogare* (for the most part in the *comitia tributa*) or *capitis accusare* (in the *comitia centuriata*) formed the sequel of the *diem dicere*. Hence the corresponding phrases *pecunia anquirere*, and *capite anquirere*. It was very common for the tribunes at the *comitia tributa* to propose a fine for magistrates or generals who had transcended their duty or powers, or who had in general incurred any liability in their office. Clodius had it in his power to accuse Cicero before the people, and call for a fine to be imposed upon him, in consequence of his measures against the Catilinarian conspirators; and he could also bring the *actio perduellionis* against him (therefore *capite anquirere*), because Cicero had, without sentence and without right, executed Roman citizens, as C. Rabirius was made *perduellionis reus*, for the murder of Saturninus.—*Actionem perduellionis*, ob cives Romanos, Catilinariæ conjurationis socios, de senatus sententia indicta causa damnatos. So *intendere* (*movere*) *litem* frequently.

31. Videlicet, continues the irony indicated by *credo* in the preceding line.

33. Servorum .... objici nolui. Compare *Sest.* 17, 40; *p. domo*, 20 sqq. *Pison.* 9, 21.

37. Quum mihi adesset, meam causam sua præsentia et auctoritate defenderet, ne in exsilium ejicerer. *Adesse* is often used in a legal sense of the countenance or support lent by a patronus or advocatus to a person in his trial, by his presence, advice, or his influence generally. The circumstances here referred to are given by D. Cass. 38, 16. The equites sent a committee from their number, and the senators sent Q. Hortensius and C. Curio to the consul Gabinius, to engage him to interfere in favor of Cicero; but Gabinius rudely repulsed them, and the messengers were maltreated by the Clodian mob.

39. Vitam amiserit. Asconius says that Vibienus died on the very day of the burning of the body of Clodius.

40. Sica illa. This passage furnishes no evidence that Cicero regarded Clodius as a fellow-conspirator with Catiline. The ambiguity appears intentional. Cicero looked upon Clodius as a second Catiline.—*Hæc intentata nobis est*, ante exsilium.

41. Huic ego vos objici pro me non sum passus, urbem relinquendo.

42. Insidiata Pompeio est. See ch. 7, 19.

43. Nece Papirii. See ch. 7, 18.

44. Longo intervallo. Six years afterwards, when Cicero supported Milo for the consulship. Klotz omits *est* after *rursus*.

1. Ad regiam. The *regia* (Numæ) was an important building and locality in Rome, connected with the earliest religious rites, and situated on the confines of the forum, near the temple of Vesta. The sacra via opened into the forum by the side of the *regia*. The addition of *ut scitis* points clearly to an actual fact, and probably to the one mentioned by Asconius, where the bands of Milo met those of Hypsæus in bloody fray. An earlier attack on his person is mentioned by Cicero, *ad Att.* 4, 3, 3.

2. Cujus vis omnis. Cicero, *Sest.* 42, 92, makes a similar defence of Milo. But when he is no longer the orator, he, *ad Att.* 4, 3, keeps nearer the truth. Cf. *de Off.* 2, 17, 58.

3. Oppressam .... teneret, sc. oppressam et teneret. Z. 634 and 635 *Note.*

5. Quantæ, quoties. Klotz: *Quotiens et quantæ.—Potuitne,* i. e. nonne potuit. Z. 352.

6. Quum domum .... defenderit. See *ad Att.* 4, 3, and introduction, p. 376. This attack was made at eleven o'clock in the day, and defeated by a vigorous sally of Milo's friends, under the command of Q. Flaccus.

7. Civi. Z. 63 (*c*) *Note.*

8. P. Sestio. See *p. Sest.* chaps. 35–39, for a description of this affray, in which Sestius received twenty wounds. He was a colleague of Milo in the tribuneship.—*Q. Fabricio.* Another colleague of Milo's. *Sest.* 35–36.

10. L. Cæcilii. Prætor in the year of Cicero's return. Asconius speaks of riots in the theatre, while he was exhibiting the Apollinarian games, but of this attack on his house he had nowhere read any account. Cf. *Sest.* 41, 88.

12. Illo die, &c. *Pison.* 15, 34: *me Kalendis Januariis ... frequentissimus senatus, concursu Italiæ, referente ... P. Lentulo, consentiente populo Romano atque una voce revocavit.* Cf. ch. 28, 77.—*Totius Italiæ concursus. Pison.* 22: *A Brundisio usque Romam agmen perpetuum totius Italiæ viderem.* All these, had Milo slain Clodius, would have claimed the glory of the deed.

Ch. XV.—**16. At quod erat tempus?** Supply with the next sentence, erat eo tempore *clarissimus,* &c. The old reading is: *Atqui erat id temporis clarissimus,* &c.

17. P. Lentulus was an intimate friend of Cicero, and was very active in the senate and at the comitia in promoting his recall from exile.

18. Illius, Clodii.—*Propugnator senatus.* Because he had restored the former freedom, which had been suppressed by the consuls

Page 118 of the previous year, who were tools of Clodius.—*Vestræ voluntatis.* Cicero's recall was the wish of the people, which Clodius hindered.

19. Publici consensus. The voice of the people was almost unanimous in the comitia of the centuries for Cicero's return. *Pison.* 15, 34; *Sest.* 51, 109.—*Septem prætores. Pison.* 15, 35: *de me, quum omnes magistratus promulgassent, præter unum prætorem, a quo non fuit postulandum, fratrem inimici mei præterque duos de lapide emptos tribunos.* The prætor was Appius Claudius, the two tribunes, Q. Numerius Rufus and Sex. Atilius Serranus.

20. Illius adversarii, defensores mei. Notice the anaphora in the preceding clauses, and the chiasmus here. *Mei* is to be referred to Z. 424. Klotz: *tribuni plebei.*

21. Cn. Pompeius. *Pison.* 15. Pompey, finding that Clodius, presuming too much on his popularity, began to think himself a match for the triumvirate, favored the recall of Cicero in order to keep him in check.

22. Gravissimam et ornatissimam, i. e. gravitatis ac ponderis plenissimam et iis, quæ ad orationis elegantiam pertinent, instructissimam. The oration *ad Quir. p. Red.* 7, contains an abstract of Pompey's speech on this occasion.

24. Decretum de me Capuæ fecit. *Pison.* 11, 25. Capua, because of its defection from Rome in the second Punic war, was severely punished, and reduced to a præfectura. Liv. 26, 16. Julius Cæsar, A. U. C. 695, made it a colonia civium Romanorum. Capua could therefore take part in the restoration of Cicero. Pompey had been appointed, by the Julian law, one of the Duumviri for governing the new colony at Capua, in right of which office he made this decree. *Fecit* not *fecisset.* See note on p. 69, line 40.

25. Signum dedit, gave the signal to convene. Like *signum sustulit,* which is a military phrase, and therefore perhaps *concurrere,* with the notion of eagerness and haste, as in the first charge of battle.

27. Omnia tum denique, &c. So also Klotz without the †. But Madvig now adopts the conjecture of Heumann: *omnium denique in illum odia civium, &c.*

29. Cogitaretur is not for *cogitatum esset,* although we should so speak, but the imperfect conveys the notion of continuance or incompleteness.

30. In judicium bis, ad vim nunquam vocavit. See ch. 13, 35. On the variation of the preposition, Garatoni remarks: præpositionum variatio, ubi præsertim sua cuique nomini propria ex usu tribuitur, tantum abest a vitio, ut in elegantiæ laude ponatur. Compare note on p. 23, line 15.

31. Privato Milone, deposito tribunatu. Magistrates could not as a general rule be accused during their magistracy.—*Accusante P. Clodio. Sest.* 44, 95. D. Cass. 39, 18, says Clodius was no sooner

made ædile, than he accused Milo, for keeping a band of gladiators, as an offset to a similar accusation which had been brought against himself. Pompey, Crassus, and Cicero defended Milo; and Pompey, notwithstanding the continued clamor and abuse of the Clodian mob, spoke for nearly three hours. Cf. *ad Q. frat.* 2, 3.

32. Impetus factus est. *Ad Fam.* 1, 5, 1: *Pompeius ... quum pro Milone diceret, clamore convicioque jactatus est.*

34. M. Antonius, afterwards triumvir, married Fulvia, the wife of Clodius, and subsequently became Cicero's bitterest enemy. Cf. *Phil.* 2, 9, 21. This occurred perhaps when Antony, A. U. C. 701, was a candidate for the quæstorship, and greatly favored by Cicero. Cf. *Fam.* 16, 23, 2.

36. Nobilissimus, sc. genere, quia originem suam ad ipsum Herculem referebat. See Plut. *Ant.*, Suet. *Aug.* 2 and 4.

37. Belluam .... laqueos .... irretitam. Metaphors borrowed from hunting.

39. In scalarum tenebras, sc. tabernæ librariæ. Cf. 2 *Phil.* 9, 21. On the construction, see Z. 489.

40. Magnum .... fuit. Z. 520.—*Illam pestem,* Clodium.

41. Antonii vero. Klotz: *M. vero Antonii.*

42. Comitiis. A. U. C. 702, when he was obstructing the election of Milo, and favoring that of Scipio and Hypsæus.

43. In sæpta. These were enclosures in the Campus Martius, (called also Ovile,) into which one class of citizens was admitted after another for the purpose of voting. The access to these compartments was formed by narrow passages called pontes or ponticuli. Steinmetz and Klotz: *in sæpta ruisset.*

44. Fugeret ad Tiberim. For the Campus Martius was washed by that river. Liv. 2, 5.

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1. Vos et omnes boni vota faceretis, ut. Z. 378. So ch. 28, *vota enim faceretis, ut,* &c.—*Ut Miloni uti virtute sua liberet.* That it might please Milo to exert his bravery; a euphemism for "slay Clodius."

CH. XVI.—**3. Quem igitur,** &c. The object of the argument from § 38 was to prove, "nihil per vim Milo." As, however, it might be said that other motives besides the love of violence might have actuated Milo, Cicero here ingeniously reasons that Milo, having formerly omitted the fairest opportunities of killing Clodius, cannot be imagined to have done so now with any disadvantage. On the form of the argument, *enthymema ex pugnantibus,* compare Quinctil. 5, 14, and Cic. *Top.* 13, 55.—*Cum omnium gratia* = ita ut ab omnibus gratiam iniret; *cum aliquorum querela,* ita ut aliqui quererentur.

6. Periculo capitis. Quinctil. 5, 14, in quoting the passage gives *cum periculo capitis.* Cf. 2 *in Cat.* 2, 3, *vitæ periculo sustulissem;* and Krebs, *Guide,* § 211. Z. 472 and *Note.*

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7. Honoris amplissimi. The consulship.

9. Quam timida sit .... quam sollicita sit. Is this the usual order? See note on p. 97, line 1.

12. Fabulam. Hearsay—which may be true or false; limited here by the epithet *fictam*. The common text gives *fabulam falsam, fictam, levem.* And so Steinmetz and Klotz.

16. Candidatorum. A candidate (*candidatus*) was so called from his appearing in the public places, such as the fora and Campus Martius, before his fellow-citizens in a whitened toga.—*In recte factis*, i. e. etiam quum recte faciunt. *Fastidire* vero dicuntur eos, quos sibi non satisfacere significant, ut hoc modo ipsi plus aliis sapere videantur.

17. Hunc igitur diem campi, sc. Martii. Above *dies comitiorum*. Cf. *de Orat.* 3, 42, 167.

19. Augusta. This word originally belonged to the language of religion, and was therefore by Cicero often joined with *sanctus*. Here the allusion is to the comitia centuriata, at which the higher magistrates were elected, and to the solemn auspices which must precede.

20. Quam hoc, &c. For Milo was a respecter of religion—Clodius the reverse.

21. Qui se, &c. Klotz and others: *quin se ille interfecto.*

22. Regnaturum. Cf. chap. 28 fin. and 29, 80.

23. [Audaciæ]. Klotz: *audaciæ* without [ ]: λογικὸν παρόραμα, leve tamen, *audaciæ* retinentes ab oratore ipso commissum fateamur, necesse est. Orelli. And finally Madvig strikes the word out entirely. *Quod caput est* = which is the main point.

24. Impunitatis spem. He strengthens his conclusion still further, by showing that the hope of impunity lay all with Clodius. This may be considered the *fourth* argument.

25. Aut præclari, as being done to benefit the state; *necessarii*, as being in self-defence.

26. Contempserat. Clodius had escaped the punishment of his violation of the mysteries of the Bona Dea by the corruption of his judges, and avoided trial on the charge of violence which Milo had brought against him. He was also accused of having committed incest with his sister. *Fas* of natural; *licet* of positive laws. Cf. *Phil.* 13, 6, 14: *licere id dicimus, quod legibus, quod more majorum institutisque conceditur.*

29. Quid plura disputo? When I can appeal to the personal knowledge of some of my judges, that Clodius had resolved to slay Milo. This evidence of the *animus* of Clodius, from his denouncing Milo's death within *three days*, constitutes the *fifth* argument.

30. Divina quædam sors. Pompey chose 360 of the best citizens for the selecti judices. After the three days' hearing of testimony, the sortitio judicum took place, by which the number was reduced to 81, and before the voting this number was still further reduced

by the rejection of five from each order, by both the accuser and the accused, thus leaving 51 judges to vote. The 51 judges were composed of 18 senators, 17 equites, and 16 tribuni ærarii. Of the latter 3, of the equites 4, and 6 senators voted for Milo's acquittal; the rest condemned, so that the vote stood 36 for condemnation against 13 for acquittal.

31. Ex M. Favonio. See ch. 9, 26.

32. Vivo Clodio. He could, therefore, have denied the charge.

34. Dubitarit. *Dubitarit* refertur ad præsens *potestis: dubitaret* rectum esset, si sequeretur *poteratis*, et utraque actio per idem temporis spatium continuata significaretur. Nam actio præterita, relata ad aliam præsentem, perfecto declaratur, ad præteritam, plusquamperfecto. Matthiæ. Klotz reads and defends: *dubitaret ... cogitarit.* Steinmetz: *dubitarit ... cogitarit.* Schultz: *dubitaret ... cogitaret.*

CH. XVII.—**36. Quemadmodum, &c.** It might be objected to the fifth argument, that by specifying *days* it implied, what had not been proved, that Clodius had a knowledge of Milo's visit to Lanuvium. Cicero shows both how that knowledge could be obtained, and that to act upon it, Clodius had made the greatest personal sacrifice. Cicero, therefore, would have it appear that Clodius's expression was was not made in anger or thoughtlessness, but that he then entertained the purpose to kill Milo.

37. Dixi equidem modo. In chapter 10.—*Stata sacrificia,* quæ certis diebus fieri solent.

40. Insanissima concio. Hoc significat, eo die, quo Clodius occisus est, concionatum esse mercenarium ejus tribunum plebis. Sunt autem concionati eo die, ut ex actis apparet, C. Sallustius et Q. Pompeius, utrique et inimici Milonis et satis inquieti. Sed videtur mihi Q. Pompeium significare, nam ejus seditiosior fuit concio. Asconius. Cf. ch. 10, 27.

43. Approperaret. Not an enallage of the imperfect for the pluperfect, but in reference to a repeated and later action, than is intimated in the leading clause ; nam reliquit, quia approperabat.

2. Quid ? si, &c. His opponents might retort, that even admitting Clodius to be aware of Milo's journey, there was the same reason to suspect Milo of knowing about Clodius's. Cicero denies that the cases are parallel ; and points out various sources whence Clodius might have procured his information ; whereas there was none open to Milo.

5. Ut enim neminem. Z. 573.

6. T. Patinam. Probably a Lanuvian, and well skilled in the usages of the place.

9. [Omnes scilicet Lanuvini.] Klotz omits the [ ]. Garatoni and others doubt the genuineness of these words. But they are found

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120 in almost all the MSS. without variation, and Matthiæ defends them, as making more ridiculous the excuse of those who maintained that Clodius had no means of knowing. *Scilicet* = doubtless, *omnes Lanuvini* making an antithesis to the one named, T. Patina.

10. Unde quæsivit? ex quonam quæsivit? Notice also how *unde* is dislodged from its position at the head of its clause.—*Quæsierit sane.* Z. 529. So also *corruperit* below.

11. Q. Arrius, meus amicus. Some consider *meus amicus* as said with bitter irony. But Cicero, *in Vatin.* 12, 30, calls Q. Arrius *familiaris meus*, and *ad Q. frat.* 1, 3, 8, when complaining of him and Hortensius, indicates friendly relations with him. *Amicus meus, familiaris meus, vir fortissimus*, and the like, are rather complimentary additions, without their full meaning.

12. Corruperit. Though Cicero asserts that Milo had no means of knowing the return of Clodius from Aricia, yet, for argument's sake, he admits that he might have bribed a slave of Clodius to inform him. He then produces the testimony of Clodius's witnesses, to prove that no such information could have been given; his (Clodius's) return to Rome being contrary to his intention, and owing to a circumstance that it was impossible to foresee.—*Legite testimonia.* The testimony had been previously taken. Cassinius Schola was brought as witness against Milo on the first day. The Clodians created great disturbance, and Pompey set a guard in the forum. The taking of testimony, therefore, on the two following days passed without disturbances. On the *fourth* or *fifth* day, with regard to which there is some discrepancy, the arguments of the parties were held, and the sentence pronounced.

13. C. Cassinius Schola. On the occasion of his trial for violating the mysteries of the Bona Dea, Clodius attempted to prove an *alibi* by means of this Cassinius.—*Interamnanus.* A native of Interamna. There were several towns of this name in Italy. The one supposed to be here meant was on the Nar in Umbria, and is now called Terni. The distance of it from Rome is about eighty Roman miles. Cicero alludes to the false testimony of Cassinius *ad Att.* 2, 1, and *p. domo*, 30, 80, and on that trial was brought as a witness to disprove it.

14. Eadem hora. Ironically. It may appear strange that Cicero should lessen the credit of this witness, at the very time that he is quoting him to make out a point for himself, viz. that the return of Clodius being accidental, could not have been known by Milo. But it is enough for his present purpose, that his opponents admit the truth of the testimonies by which he convicts them of charging himself and Milo falsely. He afterwards shows that the evidence was false, and this remark on Cassinius leads the hearer to expect as much.

15. In Albano. In the beautiful country around the ancient Alba Longa, there were numerous splendid villas; one of Pompey,

ch. 20, 54, *ad Att.* 7, 5, 3; *in Pison.* 31, 77; of Clodius, ch. 19, 51; and others. At a later day, Tiberius and particularly Domitian had favorite residences there. The city Albanum arose from these country-seats, and considerable remains of amphitheatres and tombs are found near the modern Albano on the Appian way.

17. Cyrum architectum. Cf. *ad Att.* 2, 3, 2; *Fam.* 7, 14, 1; *Q. frat.* 2, 2, 2.

18. Comes, who was in his company the same day.—*C. Clodius* The younger brother of Publius Clodius.

CH. XVIII.—**20. Quantæ res.** 1. That Clodius, whose return was thus proved accidental, could not have been waylaid by Milo. 2. That Cicero could not have instigated such an assault. In the next line good MSS. give *sunt confectæ.* See Z. 553.

21. Liberatur Milo, non .... profectus esse, i. e. absolvitur Milo eo quod demonstratum est eum non eo consilio profectum esse. Compare *Phil.* 5, 5, 14, *excuseturque Areopagites esse,* and Thucyd. 1, 95, ἀπολύεται μὴ ἀδικεῖν. *Verba dicendi* are often omitted while the construction remains such as they would require.

22. Quippe sometimes stands independently = "certainly." *Quippe* revera mirantis est, qui res aliter esse possit, et comparandum maxime cum Græco πῶς οὐ vel πῶς γάρ. Itaque inter *quippe* et sententiam annexam, qua causa continebatur, olim distinguebatur: quæ distinctio quum diuturna consuetudine in oblivionem venisset, *quippe* ex interrogativa particula abiit in relativam. O. Müller. Other readings give *quippe qui obvius* and *quippe; obvius,* &c.

25. Fuisse, qui .... dicerent, Q. Pompeius Rufus et C. Sallustius tribuni sunt, quos significat. Hi enim primi de ea lege ferenda populum hortati sunt, et dixerunt, manu Milonis occisum esse Clodium, consilio vero majoris alicujus. This was afterwards maintained by Antony, *Phil.* 2, 9, 21; 20, 49; and before Clodius's death Cicero had been designated as the counsellor and guide of Milo, *ad Att.* 4, 3, 5.—*In hac rogatione suadenda,* sc. that an extraordinary trial should be instituted. The *suadere* and *dissuadere legem* took place in the conciones; in the comitia the law was proposed by the presiding magistrate, and accepted or rejected without further discussion.

28. Jacent, refelluntur, a suis ipsi testibus prostrati sunt. *De Div.* 2, 51 fin. *Jacet igitur tota conclusio.*—[*Hi.*] Garatoni: *Jacent hi suis testibus, qui,* &c. Klotz: *Jacent suis testibus ii, qui,* &c.

30. Respiravi. Simulationem hanc vocat Quinctil. 9, 2, 25.

32. Nam occurrit illud = objicitur or objici potest ab adversariis; this objection meets me. Above Cicero inferred the innocence of his client and himself from the testimony of Cassinius. He here pursues the argument further, because the inference remained, that since Clodius was to stay all night in his Alban villa, therefore he did not even think of waylaying Milo.—*Igitur* is omitted in many edi-

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120 tions. Sed est particula præoccupantis ea, quæ ex præcedentibus deduci atque objici poterant.

34. Si quidem, &c. Admitted, says Cicero, if he had not been to leave it to execute his bloody task. For I see the real business of the so-called messenger about Cyrus, &c. *Si quidem, &c.*, therefore, is the answer of Cicero to the inference, and is to be separated from it by a full point.

35. Qui dicatur. The common reading is *qui dicitur*, but not so much an historic fact as a subjective thought is here expressed.

38. Testamentum .... obsignavi. Cicero and Clodius were legatees and witnesses at the same time. This was not allowed in the later law. D. 28, 1, 20 pr.: *qui testamento heres instituitur, in eodem testamento testis esse non potest.* Witnesses sealed the will on the outside, and by their seal wrote their names. Afterwards the will must be subscribed by the (seven) witnesses, inside also. *Una* refers to locality; *simul* commonly to time. Klotz: *testamentum Cyri simul, &c.*

39. Palam. It was customary not to disclose the names of legatees till after the death of the testator, lest avarice should prompt them to hasten his death. As it was thought honorable to be made one's heir, independently of the profit, so the confidence implied in *palam* induces Cicero to give that fact prominence.

40. Animam efflantem. The Latin languago has many expressions for *mori*, some of which are euphemisms, and others, as the present, are descriptive of the struggle at death. Similar to *animam efflare*, are *animam exhalare, exspirare, emittere.*

CH. XIX.—**43. Sit ita factum.** Admitting that he was informed of Cyrus's death.

44. Quid afferebat, &c. Most MSS. give *quid afferebat festinationis, quod heres erat?* and so Klotz.

121 **2. Properato opus esset.** Z. 464. Aliud properare, aliud festinare. Qui unum quodque mature transigit, properat, qui multa simul incipit neque perficit, festinat. Schol. Bob. p. 289.—*Quid tandem erat quod .... posset, amitteret autem, &c.*, i. e. quid ea nocte consequi poterat, amittebat autem (eo tempore) si venisset. *Posset* and *amitteret* do not therefore stand for *potuisset* and *amisisset.*

4. Atque ut, &c. Having spoken of travelling by *night*, Cicero is led to consider the *time* and *place* of the rencontre. This constitutes the *sixth* argument.

5. Vitandus. The general odium in which he was held laid him open to nocturnal attacks; and therefore made it advisable to avoid late journeys.

7. Subsidendum. See § 51. *Subsidere* (subsidium) was originally a verbum militare, spoken of the *Triarii*, who, with their left foot extended, rested on their right knee, until the engagement reach-

ed them. In this half-sitting posture, they had their shields under the left shoulder, and their spears set in the ground before them.

8. Insidioso .... loco. The common reading is *invidioso.* The Appian road, especially near the tomb of Basilus, was notorious for harboring robbers and their booty. It was usual therefore in this vicinity to travel with a strong guard. Cf. *ad Att.* 7, 9, 1.

9. Occidisset, not for *si occidisset,* but *occidisset eum, si subsidisset,* i. e. *supposing Milo the waylayer,* he would have slain him by night, in a place notorious for lying in wait and for robberies. Every one, *in that case,* would have given credit to, &c. The locality, &c. &c., would have borne the blame.

11. Occultator et receptor locus. See Z. 102, *Note* 2. *Receptator* is the common text.

12. Tum neque, &c. The usual reading is *dum neque, &c.*, i. e. *sustinuisset crimen locus* quamdiu et quatenus *neque muta solitudo, &c.*

13. Ibi, i. e. multi, ibi si cædes facta esset, . . . in suspicionem caderent.—*Ab illo,* Clodio.

14. Multi hæc etiam. The common text is *multi etiam hæc.*

15. Tota denique rea citaretur Etruria, i. e. omnes Etrusci accusarentur cædis Clodii, quos vexarat; 9, 26. Cf. chaps. 27, 74; 35, 98.

16. Atque illo die, &c. The *seventh* argument. The preceding was, that were Milo the aggressor, his attack should have been made at night, near the city. This he here varies, by supposing his client to be aware that Clodius, whose country-seat lay between Rome and Aricia, was at that town; and by asking what particular spot an aggressor so informed would choose for his attack. Evidently either between Aricia and the villa, lest he might call there, and not leave it; or near the city, where his journey would be in the shades of night. But Milo chose neither; therefore, &c.—*Aricia* was a town of Latium, on the Appian way, 60 stadia from Rome. From *Atque* to *Albanum,* Osenbrüggen supposes may be regarded as the position of the opponents of Cicero, who have been reduced already to weak subterfuges, as in § 48, *Igitur ne Clodius quidem,* &c.

17. Quod ut sciret Milo, scilicet *illum Ariciæ fuisse,* ideoque in via esse. On quod, see note on p. 111, line 15.—*Ut.* Z. 573. But admitting that Milo knew of Clodius's having been at Aricia, &c. The common reading is: *Quod nisi sciret Milo.* Garatoni takes *illum Ariciæ fuisse* as a gloss; and explains: *Quod* (ad villam suam devertisse Clodium) *nisi sciret Milo, suspicari tamen debuit, eum,* &c., vel, nisi sciret Milo, eum illuc deversurum, suspicari tamen id fore debuit.

20. Nec eo in loco, sc. near the city, at the tomb of Basilus.

22. Video constare adhuc. He recapitulates the various argu-

Page 121 ments from ch. 12, omitting, however, the *fourth*, 16, 43, and particularizing the several subsidiary points of the fifth, and then proceeds, ch. 20, to consider the actual *site* of the rencontre. He had noticed where he *ought* to have attacked him, if he were the assailant, now he considers where (as was said) he *did*. The *eighth* argument.

27. Prædictam. Klotz and Osenbrüggen: *prædicatam.*

29. Reditus. The common reading is *reditum. Reditus* like *profectionis* depends on *diem*. Notice the different reference of the pronouns *hic* and *ille*.

30. Præ se tulisse, illo se die, &c. The common text is *se illo die*. Klotz: *præ se tulisse illo die*. The omission of the unaccented subject accusative (se, me, te, nos, vos, less frequently eum, eos) is not uncommon. See 24, 65; 35, 95; and compare *P. C.* p. 558; Z. 605.

CH. XX.—**36. Locus ad insidias .... utri .... fuerit aptior.** See Z. 409, and note on p. 33, line 11. Argumentum hoc ex loco ductum vehementissime tractasse Ciceronem docet Quinctil. 5, 10, 37 and 50.

38. Etiam. See note on p. 9, line 2.

39. Ante fundum Clodii. See note on p. 114, line 18.—*Quo in fundo.* See note on p. 11, line 1.

40. Insanas illas substructiones. Cf. § 85: *Substructionum insanæ moles.* Plin. *N. H.* 36, 15, 103: *Pyramidas regum miramur, quum solum tantum foro exstruenda H-S. millies Cæsar Dictator emerit, et si quidem impensæ movent captos avaritia animos, P. Clodius, quem Milo occidit, sestertium centies et quadragies octies domo emta habitaverit, quod equidem non secus ac regum insaniam miror. Itaque et ipsum Milonem sestertium septingenties æris alieni debuisse, inter prodigia animi humani duco. Sed tunc senes aggeris vastum spatium, et substructiones insanas Capitolii mirabantur,* &c. The *substructiones* are the substructures, foundations, or changes made in the ground in preparation for the building. Sall. *Cat.* 12, speaks of *villæ in urbium modum exædificatæ*, and ch. 13, he says: *Nam quid ea memorem, quæ nisi his qui videre, nemini credibilia sunt: a privatis compluribus subversos montes, maria constructa esse.* Cf. Liv. 6, 4; 38, 28; Vitruv. 1, 5; 5, 3; 6, 11. On this ruinous passion for building, see also Hor. *Od.* 2, 18, 20; 3, 1, 33.—*Hominum mille versabantur.* The common text is *mille hominum versabatur.* See Z. 116, *Note.* Gellius, *N. A.* 1, 16, and Macrob. *Saturn.* 1, 5, contend for the singular, which *Phil.* 6, 5, 15, *mille nummum .... expensum,* favors. But Gellius decided for the singular on theory, while he found the plural here in his MSS. Klotz on this passage observes with truth, that in a freer use of language, with regard to the inner thought a construction can also arise, which, while false in external grammatical respects, is so much the truer in

reference to the internal thought. Nonius Marc. cites from Cic. *de Rep.* vi. *ut . . mille hominum . . descenderent.*

41. Valentium. Able-bodied. So *homine valenti. P. Cluent.* 62, 175. *Robusti et valentes satellites. Agr.* 2, 31.—*Adversarii* Clodii, quum adversarius loco edito atque excelso esset. Did Milo think, in front of Clodius's farm, &c., on the high and lofty ground of his opponent, to come off superior?

44. Res loquitur ipsa. Without me. Cf. *p. Cluent.* 50, 139: *Nam si causæ ipsæ pro se loqui possent, nemo adhiberet oratorem. nunc adhibemur, ut ea dicamus,* &c.

1. Quæ semper = et ea semper, &c.—*Si hæc,* &c. He now proceeds to argue from the concomitant circumstances, the vehicle, dress, train, &c. This *ninth* argument, with the explanations arising from it, extends to ch. 23.

4. Alter. Milo: debebat ita pergere: alter egrederetur e villa subito, vesperi, tarde. Sed interjectis illis *Quid horum non impeditissimum,* &c., ordo immutatus est.—*In rheda pænulatus.* See ch. 10, § 28.—*Uxor,* Fausta, the daughter of Sulla.

5. Vestitus, an vehiculum, quasi præcessisset Quid horum impeditius? vest. an veh.

6. Pænula irretitus. For the *pænula* was a close-fitting overall without sleeves, which confined the arms. It was either made of wool or skin, and was principally used in travelling, and to keep off the rain and cold. The vehicle, too, was rather a pleasure carriage than one adapted to speed and flight.

7. Uxore pæne constrictus, quæ muliebri timore perculsa eum non patiebatur ad pugnam descendere.

8. Videte nunc illum, &c. In this passage Cicero leaves the answers to his queries to be supplied from his previous observations. Thus, to the question, *egredientem e villa, subito; cur?* the answer would naturally suggest itself—"because he had heard from the messenger," ch. 18. *Milonem appropinquare.* To *vesperi; quid necesse est?* and *tarde; qui convenit?* why leave the villa *in the evening?* the reply would be found ch. 18. *He had no reason, si quidem exiturus ad cædem e villa non fuisset.* Translate: Observe him now, first of all sallying out from his villa, unexpectedly: why? —In the evening too: where was the necessity for that? With slow progress · how is this to be rationally explained—especially at such an hour?—*E villa,* sc. sua, i. e. Clodii.

10. Devertit, &c. Cicero here in the spirit of his opponents suggests an explanation for the purpose of overthrowing it with still more force.—*In villam Pompeii.* See note on *in Albano,* p. 120, line 15. Some ruins belonging to it are still found.—*Pompeium ut videret?* As before his rhetorical questions were more forcible denials of any reason, necessity, or propriety in regard to the suddenness, time, and

Page
122 slowness of his return, so here it is suggested that the turning aside to Pompey's villa could not have been to see Pompey or his country-seat.

11. In Alsiensi, sc. villa. Alsium, now the village of Palo, was an old Etrurian town, on the sea-coast near Cære, northwest from Rome, while the Appian way lay to the southeast. Fronto, *de feriis Alsiensibus*, calls it *maritimus et voluptarius locus*. The Romans went there, *ut bene haberent genio, ut facerent animo voluptatem*, and the richer had villas there. *Ad Fam.* 9, 6, 1; Plin. *Epp.* 6, 10; Val. Max. 8, 1.

12. Millies. Z. 692.—*Quid ergo erat? mora, &c.* Klotz reads *Quid ergo erat moræ et tergiversationis?* to which *dum hic, &c.*, forms the answer. His enemies invented a similar charge against Milo.

13. Dum .... veniret. Z. 575.

Ch. XXI.—**14. Age .... comparate.** Others *agite*. Scilicet ante Vallam non defuerunt, qui *age* putarent cum plurali non posse conjungi. Horum jamdiu explosa sententia est. See note on p. 57, line 35.—*Expediti*, haud impediti, parati ad cædem faciendam, contrasted with *impedimentis;* which is derived from the same root.

15. Cum uxore, Fulvia, who afterwards married Antony; supply iter faciebat.

17. Græculi. Used by way of contempt. Juv. *Sat.* 3, 76. They were perhaps professors of music and the fine arts; perhaps worse.—*In castra Etrusca.* Asconius makes Cicero here hint that Clodius was privy to the conspiracy of Catiline, whose army was encamped under Mallius in Etruria. Cicero nowhere directly charges Clodius with participation in the Catilinarian conspiracy, but he is fond of speaking ambiguously about it, ch. 14, 37. Clodius had possessions in Etruria, and, as from a robber-fortress (*castra Etrusca*) in which he intrenched himself, he made war upon and plundered Etruria, ch. 27, 74; 9, 26. In the present passage Cicero does not speak of *one* journey of Clodius to Catiline in Etruria (quum c. ind. imperf.); did he not, however, choose the expression *castra Etrusca*, to lead the thoughts of his hearers to Catiline, and the Mallian camps in Etruria? Cf. note on p. 114, line 6. According to Plut. *Cic.* 29, Clodius, at the time of Catiline's conspiracy, had attached himself to Cicero, to defend him, for they were not yet enemies; but afterwards Clodius was to Cicero a second Catiline, ch. 14, 37, *sica illa, &c.*; and the *ultor Catilinæ* (*in Pison.* 10, 23; 7, 16), since he made Cicero's proceedings against the Catilinarians the ground of driving him into exile. The remnants of Catiline's adherents were in Clodius's bands. *Pison.* 5, 11; 7, 16. Clodius, as Asconius speaks of his intention only as a report, may have given up his plan of following Catiline, as not holding out any advantages, and, to clear himself more certainly from

suspicion and not remain inactive, may have attached himself to the opposite party as a good citizen.

18. Nugarum nihil. *Nugæ,* like the Greek λῆρος, is used of persons, *ad Q. frat.* 1, 2, 4; *Sest.* 10, 24. So *quisquiliæ, Sest.* 43, 94. *Nugarum nihil* = nullos homines leves et nugatorios, h. l. versantes in artibus ludicris, quas tractare gravi viro indignum esset; jesters, buffoons.

19. Pueros symphoniacos. Articles of luxury and ornament were mostly denoted by Greek names, e. g. anagnostæ, authepsa, baptisterium, chrysendeta, lychnuchus; as in modern times French fashions and French names mark corresponding objects. The Romans had to learn *élégance* from the Greeks, we from the French. Singing boys were taken by the Roman grandees on their journeys, to relieve by music the tediousness of the journey; and to avoid the appearance of effeminacy, the pretext was made, that they belonged to the retinue of their wives.

20. Ancillarum greges. A Roman domina was surrounded by an army of female slaves, each of whom had her special duty. Cf. Juv. *Sat.* 6, 495 sqq. The slaves in attendance upon the wives of Indian nabobs may furnish some parallel.—*Qui .... duceret* for quum is ... duceret.

21. Neminem, nisi ut, i. e. nisi tales omnes, ut, &c.—*Virum a viro lectum esse.* The Roman soldiers were permitted, when going on a dangerous service, to choose their comrades. Cf. Liv. 9, 39; 10, 38. This was not merely an Etruscan or Italian custom, but also in use among other ancient nations, as the Greeks and Persians. Xen. *Cyrop.* 1, 5, 5; Corn. Nep. *Paus.* 1, 2: *Neminem nisi,* &c., then = neminem nisi selectos (gladiatores). His were picked men.

25. Mulier. See ch. 33, 39, *homo effeminatus.* Cic. *in Clod. et Cur.* 5: *nam rusticos ei* (Clodio) *nos videri minus est mirandum, qui manicatam tunicam et mitram et purpureas fascias habere non possumus. Tu vero festivus, tu elegans, tu solus urbanus, quem decet muliebris ornatus, quem incessus psaltriæ, qui effeminare vultum, attenuare vocem, lævare corpus potes.—Nec vero,* &c. Milo was obliged, for his own security, to keep a band of gladiators. Cf. 14, 38.

27. Semper ille. Paulo negligentius locutus est Cicero, eodem pronomine modo Milonem, modo Clodium designans. Quare *ille* post *semper* delendum censebat Garat.—*Quantum interesset P. Clodii.* Z. 449. Cf. 12.

28. Odio. Cf. 13, 35.

30. Propositam et pæne addictam. The allusion is to a sale, where an object is first *set up* and then *knocked down, assigned to,* the highest bidder.

32. Martemque communem. *Communis Mars* est, qui non unam partem, sed utramque, modo hanc modo illam, adjuvat, ἀλλο-

Page 122 τρίφαλλος, ut vocatur, *Il. ι*, 831, 889. Cf. *ad Fam.* 6, 4, 1: *Quum omnis belli Mars communis, et quum semper incerti exitus prœliorum sunt.*

34. Perculit ab abjecto, i. e. per eum, qui jam abjectus et prostratus erat. Matthiæ. But Hand, *Turs.* i. p. 30: Mars sæpe spoliantem jam evertit et ab abjecto, cui jam incubuerat, depulit, which seems preferable.—*Pransi, poti.* Z. 633.—*Oscitantis.* Listless, inattentive. *Quæ oscitantia licet nonnunquam e corporis vitio contingat, certum est tamen frequenter e potu et a prandio provenire.* A. Gell. 4, 10.

35. Qui quum .... interclusum reliquisset. Ch. 10, 29. Clodius thought every thing safe, when Milo had passed him, and was separated from his party, forgetting the famous gladiators Eudamus and Birria, in the rear of Milo's retinue; from the latter of whom, as Asconius relates, Clodius received a dangerous wound in the shoulder.

37. Hæsit, tanquam in laqueis aut in reti, metaphorically from wild animals, which are taken in nets.—*In iis pœnis, quas,* &c. Compare ch. 10: *id fecerunt,* &c.

39. Cur igitur eos manumisit? To reward them for having preserved his life, as the advocates of Milo claimed. Sometimes slaves were manumitted by their masters, when threatened with a criminal prosecution, to save them from exposure to torture, but more frequently for their own advantage, to screen themselves from any unfavorable disclosures which might be wrung from their slaves by torture. This was afterwards forbidden, and the manumitted slave was liable to torture.—*Metuebat scilicet.* See Z. 345 in fin.

41. Occisum esse a servis. Cf. ch. 10, 29.

43. Occideritne? Occidit. From *occido.* Having admitted the fatal interference of the slaves, Cicero might fairly be asked to submit them to examination, as they must be aware of the facts of the case. He replies that it was useless. These facts were acknowledged —Milo slew Clodius; and farther than this the testimony of slaves could not go. But here it is obvious to remark, that while Milo admitted he had slain Clodius, he urged that he had done so under peculiar circumstances; namely, in self-defence. Now to the existence of these peculiar circumstances it was surely competent for the slaves to depose; but this question of fact Cicero artfully confounds with the question *jure an injuria.*

44. Equuleo. The *equuleus,* as its name shows, resembled a horse, and was probably a wooden machine on four feet, provided with screws, by which the limbs of a body lying upon it could be stretched.

123 CH. XXII.—**1. In causa.** See ch. 6, 15.

4. Nescis inimici, &c. Because you fix your censure upon that point of his conduct which is deserving of the highest praise; whereas the proper complaint would be a charge of ingratitude for inadequately rewarding conduct so meritorious.

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6. M. Cato. He had defended Milo before the people, and as judge voted for his acquittal.—*Et dixit.* Z. 717.

10. Propter quos, per quos, quorum opera. *Propter* for *per* in this usage, is perhaps limited to persons. See Z. 302.

14. Dedendi fuerunt. Z. 519.—*Defensores necis,* depulsores.

15. Quod minus moleste ferat, per μείωσιν pro quo se erigat, consoletur.

16. Etiamsi quid ipsi accidat. This euphemism is not here, as commonly, used of death, but of condemnation which would result in exile, or civil death. Cf. ch. 36, 99, and note on p. 109, line 2.

17. Sed quæstiones. That is, examinations of slaves by torture. The testimony of slaves was not believed, unless wrung from them by torture ; hence, the rack is the means of strengthening the credibility of the witness. The rack, as a means of compelling a free citizen, when accused, to confess, was foreign to the Roman republic. In the criminal process, under the Roman law, the accuser must prove his accusation, and it was *his* business, before coming to the trial, to provide the means of proof. The declarations of the slaves of the opposite party often formed a part of the evidence ; hence, of the accuser, the phrase: *postulat familiam.* On the other side, the accused and his party had to provide all weapons of defence against the attack of the accuser: therefore also the party of Milo moved for the torture of the slaves of Clodius and his party. By the nova lex of Pompey the process against Milo took a new turn, even in regard to the torture of the slaves. The quæsitor Domitius decided that the slaves of Milo must be subjected to torture, and the slaves of Clodius were likewise put upon the rack, but, as Cicero represents it, on motion of Appius Claudius, not, as has been said, upon motion of Milo's party. Cicero here presses this point, but the passage has difficulties, because the orator here designedly confounds two entirely different things. He represents the depositions of Clodius's slaves against Milo, derived by torture, as suspicious and invalid, because these slaves were produced by the accuser, Appius Claudius, and because the whole proceeding in regard to them, shows the greatest partiality and hostility against Milo. As no one could be a witness in his own case, so were the witnesses that were entirely dependent upon one party inadmissible. Cicero first takes this view, and has at least some right to it ; but he then suddenly springs to a wholly different point: *Dii boni ! quid potest,* &c., which does not properly belong here at all, for Clodius was dead, and Milo was the *reus.* He does this, in order to speak again of his favorite subject, the incest of Clodius, under which was included every species of sacrilege, and to conclude *a contrario : In reum de servo,* &c. He here proposes for the examination by torture of the slaves of Clodius the question: *Clodius insidias fecit Miloni?* which is to him the main question, to answer which affirmatively, he makes his prin-

Page 123 cipal object in the oration. If this question was put in the torture of the slaves of Clodius, they were subjected to torture against their master, and: *de servis nulla lege quæstio est in dominum nisi de incestu.*

18. Nunc, with emphasis = nunc demum, 100 days after the death of Clodius. See § 60.—*In atrio Libertatis.* There was a temple of Libertas on the Aventine, built by the father of the Gracchi. There was also an *atrium Libertatis* by the forum, *ad Att.* 4, 16, 14. When Clodius had driven Cicero into exile, he destroyed his house on the Palatine, and on its site had erected a chapel to Libertas. The spacious porches of temples were used for various purposes; and perhaps business, particularly that relating to slaves and freedmen, was transacted in the Atrium Libertatis. Klotz supposes the *atrium Libertatis* is mentioned as the place of the examination, in order to suggest the hope of freedom as an inducement to the slaves to give the desired answers.

19. Quibusnam de servis. When Appius could not procure the slaves of Milo for examination, he had recourse to those of P. Clodius. Cicero shows the fairness that may be expected from slaves drilled by the accuser.—*Rogas?* A familiar formula of every-day conversation and dialogue, frequently used when one is surprised, or affects surprise, that the other could ask.

20. Quis .... Appius. This is an instance of the rhetorical figure called *συμπλοκή* (*κοινότης*) *complexio.* Quinctil. 9, 3, 31, cites it as an example. Z. 821. Appius was the nephew of Publius Clodius.

21. Ab Appio = ex Appii domo. How little credit would be due to their declarations, appears from *Flacc.* 10.

22. Quæstio est, like *actio est* = the right, &c., exists.—*In dominum.* Klotz: *in dominos.*

23. Proxime deos accessit Clodius. Because he is put on a par with them in the mode of examination touching his death. The violation of their mysteries demands the inquisition. The death of Clodius has called for the same. This is a nearer approach to divinity than was even his famous adventure at Cæsar's house. In this signification, *accedere ad,* commonly with *prope, propius, proxime,* is the usual construction in Cicero. He also uses the dative. Compare Arnold's Nepos, *Them.* 4, 1, and 7, 2. See also Z. 386 and 387. What double meaning in this sentence? *Lig.* 12, 37: *homines enim ad deos nulla re propius accedunt quam salutem hominibus dando. Rabir. perd.* 2, 5: *Deinde vos, Quirites, quorum potestas proxime ad deorum immortalium numen accedit.*

25. Sed tamen, &c. Were the slaves of Milo examined against Milo, the truth might easily be elicited; for it was not the difficulty of arriving at the truth, but the indignity of the proceeding that dictated the rejection of such testimony; but where the slaves of the accuser are questioned against the arraigned, of Appius against Milo, is truth

to be expected? He illustrates this by giving, § 60, a specimen of the mode of examination.

26. Non quia non posset .... sed quia videbatur. Z. 537 and 572. Klotz omits the brackets. Schultz: *non quin posset.*

28. Dominis. Klotz and Süpfle read with MSS. *indignum esse et domini morte, &c.* Schultz also reads *domini.—De servo .... quæritur.* See note on p. 85, line 25.

30. Heus tu, Rufio, &c. Spoken with comic seriousness, and put in the mouth of Appius, who directed the deposition of his slaves. Quinctil. 8, 3, 21.—*Verbi causa* = exempli gratia.

31. Sis = si vis is borrowed from the language of common life and comedy. Est blande admonentis.—*Mentiare.* See note on page 9, line 1.

32. Certa crux. Crucifixion was the usual form of capital punishment for slaves. *Deiot.* 9, 26. With it is contrasted *sperata libertas,* for which some prefer *parata libertas.*

33. Subito abrepti, &c. The customary and proper proceedings in such examinations of slaves are here given in contrast with the unusual course pursued in the present instance, as described in the next sentence. Slaves hurried away to torture without any previous warning, are yet kept apart from the others in solitary confinement, whence they are produced when required. In this case the prosecutor, after a hundred days tampering with them, produces them for examination. *Subito abrepti* is opposed to *centum dies.* Some read *adrepti.*

34. In arcas. Cells in jails and private houses for the solitary confinement of culprits or slaves.

CH. XXIII.—**38. Quod si nondum, &c.** The only ground of argument remaining to Cicero, after so many being urged, was—a consequentibus—from the conduct of Milo *after* the fatal rencontre, his expeditious return, his lofty bearing and language. These could only result from conscious innocence. Chaps. 23, 24.

39. Tot tam, for *tot et tam.* So Liv. 25, 24, *tot tam opulenti tyranni;* 28, 28, *tot tam claris imperatoribus;* 30, 30, *tot tam egregii duces;* 4 *in Cat.* 3, 6, *tantam tam.*

41. Revertisse. Z. 209 in fin.

42. Celeritas reditus ejus. The excesses of the Clodians, especially the burning of the curia, had turned the tide of popular feeling in favor of Milo, and he ventured to return to Rome the same night, in which the curia was burned. He also continued his canvass for the consulship, and distributed by tribes to each citizen 1000 ases of borrowed money.

44. Qui vultus. Compare 3 *in Cat.* 5, 13; *p. Cluent,* 19. 54. —*Quæ oratio.* The tribune M. Cælius, held a *concio* for Milo, and spoke also himself in Milo's behalf. They both maintained that Clodius had lain in wait for Milo.—*Neque vero se, &c.* This climax is

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123 noticed by Aquila Romanus, *de figuris sentent.* 40. Cf. Demosth. *de Corona*, 55: οὐκ εἶπον μὲν ταῦτα, οὐκ ἔγραψα δὲ, οὐδ' ἔγραψα μὲν, οὐκ ἐπρέσβευσα δὲ, οὐδ' ἐπρέσβευσα μὲν, οὐκ ἔπεισα δὲ τοὺς Θηβαίους.—*Neque .... solum, sed etiam .... neque .... modo, sed etiam .... neque .... tantum, verum etiam.* See note on p. 107, line 21.

124 **1. Populo .... senatui commisit,** ejus fidei tradidit, sed ita ut ipse periculum in eo adiret. See chaps. 3, 4, and 5.

2. Publicis præsidiis et armis. Pompey and the levies under his command. See ch. 1, § 2.

3. Ejus potestati. Ch. 6, 15. Pompey, with the interrex and tribunes of the people, was charged with the duty of preserving the peace and quiet of the republic. To effect this, he was authorized to levy troops in all Italy, which he did with the greatest dispatch. Klotz omits *etiam* after *verum.*

6. Omnia audienti, i. e. nihil eorum, quæ ad se deferrentur, plane repudianti et negligenti. See ch. 24, 65.

7. Suspicanti .... credenti. Ch. 24, 66.—*Magna vis est conscientiæ*, 3 *in Cat.* 5, 11, and 12, 27. Juvenal, 13, 196, thinks it exceeds the torments of hell, *Nocte dieque suum gestare in pectore testem.*

9. Neque timeant .... et. Z. 338.

11. A senatu probata est. Ch. 5, 12.

12. Facti rationem. "The grounds on which he defended his conduct," viz. the lawfulness of self-defence.

13. Defensionis constantiam. "The firmness and intrepidity of his defence."—*An vero. P. C.* 120; Z. 353.

14. Recenti illo nuntio. Z. 645.—*Obliti estis .... sermones.* Z. 440.

15. Inimicorum Milonis. Z. 410.

16. Imperitorum. Who though not the enemies of Milo, were ignorant "rationis facti."

17. Illud .... fecisset, ut trucidaret. Z. 618 and 619. On the *illud*, Z. 748.

18. Arbitrabantur, sc. the *imperiti.*

19. Tanti .... putasse. Z. 444. *Partit.* 32: *Spectantur etiam ad causam facti motus animorum .... si facinoris voluptas major, quam damnationis dolor;* Virg. *Æn.* 2, 585: *Exstinxisse nefas tamen et sumpsisse merentis Laudabor pœnas, animumque explesse juvabit.*

21. Non dubitaturum .... quin. Z. 541 in fin.

23. Cederet .... legibus. To obey the laws, and go into exile, that being the penalty for homicide. Some reject *legibus;* but it is more honorable for Milo to make his reverence for the law the motive of his going.

24. Hæc fruenda. Cf. *Cæl.* 17, 39: *Fabricios. Camillos,*

Curios, omnesque eos, qui hæc ex minimis tanta fecerunt. Compare note on p. 15, line 20. On *fruenda*, see Z. 466 and 657.

25. Illa portenta. *In Pison.* 4, 9, Cicero calls Clodius *fatale portentum prodigiumque rei publicæ;* and, *de prov. Cons.* 1, 2, the consuls, Piso and Gabinius, are described as *duo rei publicæ ... portenta ac pæne funera.* So in our passage, Heumann takes *illa portenta* as = ejus generis consceleratos atque exsecrabiles homines. Schütz, on the other hand, supplies *verborum* with *portenta*, and refers it to the following *Erumpet*, &c.—*Loquebantur. Loqui* with the accusative = to prate of, generally in Cicero with the notion of contempt. Cf. *ad Att.* 9, 2, 3, *nihil nisi classes loquens et exercitus.* Hor. *Serm.* 1, 3, 12, *modo reges atque tetrarchas, omnia magna loquens.*

26. Erumpet. This word Cicero had already applied to the hurried departure of Catiline from the city. 2 *in Cat.* 1, 1. By using it here, the enemies of Milo meant to suggest a parallel between him and that conspirator.

27. Miseros interdum cives. Z. 402.—*Optime de .... meritos.* Deserving best at the hands of; having best served.

30. Admisisset aliquid. Cf. 13, 34, and 37, 103.

CH. XXIV.—**32. Quid?** Z. 769.—*Quæ postea sunt in eum congesta*, a circumlocution for, the subsequent charges against him.

33. Conscientia. An ablative of the cause; but compare Z. 472, *Note* 1, and 646: "under the consciousness," or "if he were conscious of." Ernesti conjectured *in mediocrium delict. conscientia.*

34. Sustinuit? immo vero. See note on p. 9, line 13.

35. Pro nihilo putavit. Z. 394, *Note* 3.

37. † Frenorum. The reading here is doubtful. Lambinus proposed *framearum.* Garatoni conjectures, since *Hispanorum* occurs, *gladiorum Hispanorum pilorumque;* and supposes *Hispanorum, sparorum, frenorum*, and *framearum* may be varieties of one and the same word. Steinmetz brackets both *frenorum* and *sparorum*, Klotz and Süpfle read *ferramentorum pilorumque.*

38. Multitudo deprehendi posse indicabatur. The personal construction of verba dicendi in the passive voice is sometimes, as here, extended to other verbs which denote a peculiar and special kind of *saying, showing, believing*, &c. See Z. 607. But the impersonal construction in this case is more common.

39. Vicum. *Vicus* from οἶκος, as *vinum* from οἶνος, corresponding to *wick* in bailiwick, is not a principal street, but a collection of houses, a ward or quarter of the city, the subdivision of a *regio.*—*Angiportum* is according to Festus: iter compendiarium in oppido.

40. Miloni. The dative of the possessor; and this seems to be the origin of the dative with passive verbs, for the ablative with *ab.* Z. 419 and 420.—*In villam Ocriculanam.* A villa of Milo's, near

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124 Ocriculum, a town of Umbria, not far from the junction of the Nar with the Tiber. The modern Otricoli is about two miles from the ancient city.

41. Domus. Ernesti wished: *domum ... refertam* depending on *dicebant.* Garat. considers it an instance of syllepsis, and supplies *dicebatur* from *dicebant.* This house of Milo was called Anniana. *Ad Att.* 5, 3, 3.

42. Malleolorum. See note on p. 18, line 15.

43. Repudiata. Though totally unworthy of notice, such was the misery of the times, they were not rejected without inquiry.

44. Laudabam, &c. Cicero expresses the extraordinary solicitude of Pompey, but shows at the same time how little he was pleased with his timid credulity.

125 **2. Coguntur audire.** Cf. 23, 61, and *Rosc. Am.* 8, 22.

3. Tota .... res publica. Cf. ch. 26, 70. Ernesti suspected *tota*, but compare 23, 61; 24, 66; 25, 68 init. Garatoni: Aliquando etenim una erat rei publicæ pars aut alicui commissa aut ab aliquo sponte suscepta—ut res frumentaria eidem Pompeio SCto commissa, &c.—*Cui etiam*, &c. "Since he had to hear," &c. The common text is *publica. Quin etiam*, &c., for which Madvig substituted his conjecture, making the subjunctive causal instead of concessive.

4. Popa Licinius. The *popæ* were freedmen, or men of the lower sort. Asconius describes this Licinius as quemdam de plebe, sacrificulum, qui solitus esset familias purgare; and it is reasonable to suppose that Cicero degrades him to a *popa*, as he also adds *nescio qui*, to denote his insignificance, in contrast with Pompey, who attached much weight to the information of Licinius. The *popæ* appear to have retained as their perquisites the gleanings or fragments of the sacrifices, and to have kept victualling shops. The *popinæ*, at least in the time of the republic, were visited only by slaves and the lower class. There were doubtless many *popinæ* about the *Circus maximus*, as also in the neighborhood of the theatres and other public buildings and places. —*De circo maximo.* This was the largest of the courses of Rome, the foundation of which goes back to Tarquinius Priscus. After its enlargement by Cæsar, it was capable of holding 150,000 spectators, or 250,000 according to Pliny, *N. H.* 36, 15, 102. It lay in the hollow between the Palatine and Aventine, and was a chief place of amusement for the idle people of Rome, at other times also, besides during the *circenses*, as were the *Campus Martius* and the airy *agger* (Tarquinii), on the eastern side of Rome from the Esquiline to the Colline gate; the *agger* particularly for promenaders. *Circus maximus* and *agger* correspond with each other as residences of the lower classes. As here *popa de circo maximo*, so we find *pomarius de circo maximo* and *pomarius de aggere;* and the *astrologi de circo* are notorious: *de Div.* 1, 58. Z. 308. It was here that fortune-tell-

ers, astrologers, and conjurors practised their arts upon the credulous; hence *fallacem circum*. Hor. *Sat*. 1, 6, 113.

5. Servos Milonis .... confessos esse, dependent, in some texts, which give a period after *indicaret*, on the *verbum dicendi*, implied in *fuerit audiendus*. We should then supply "saying." Z. 620.

6. Conjurasse. On the omission of the subject accusative, see Z. 604 and 605. Compare note on p. 121, line 30.

7. Ab uno de illis. Z. 308 and 340 in fin.

8. Hortos. Z. 96.—*De amicorum sententia*. Pompey called a council of friends (*consilium amicorum*) to hear the information of the *popa* in their presence, in order that the matter might receive more importance, and he not have the appearance of having feigned fear of Milo. Such private consilia of friends were very common, and *amici* in such cases = witnesses; acquaintances and friends were called to such extrajudicial depositions. In matters of interest to a family circle a consilium propinquorum (cognatorum) was formed. *De sententia*, "by the advice," or "at the suggestion." So also *ex sententia* Z. 308 in fin. and 309.

9. Non poteram .... non. Z. 754.

11. Credi popæ. Krebs, *Guide*, 171; *P. C.* 235; Z. 412.—*Confessionem servorum*. Cf. *Deiot*. 11, 32.

13. Probari, fidem fieri hunc ictum esse gladiatoris.

15. Ne .... aliquid. Z. 708.—*Oppugnata domus .... nuntiabatur*. Z. 607.

17. Tam celebri loco. Suet. *Jul*. 46: *Habitavit primum in Suburra modicis ædibus, post autem pontificatum maximum in sacra via domo publica*. Plin. *N. H*. 19, 1, 23. The sacra via was the principal street of Rome, and much thronged. On the meaning of *celeber*, see note on p. 98, line 19.

18. Tamen audiebatur. It was listened to.

21. Frequentissimo senatu. See note on p. 110, line 16.—*Senator*. P. Cornificius.

22. Cum telo esse. See note on p. 110, line 2.

Ch. XXV.—**25. Insidiose**, nam fictis criminibus Miloni fiebant insidiæ. Another reading gives *invidiose*, i. e. ad invidiam contrahendam conficta, quamvis insidiando composita.

26. Quum tamen metuitur, &c. This is a conjectural emendation of Madvig. The common text is: *sunt. Quod si tamen metuitur etiam nunc Milo, non jam hoc Clodianum, &c.* Klotz with some MSS.: *Cur tamen si metuitur etiam nunc Milo, non, &c.*, with a point of interrogation after *perhorrescimus*.—*Etiam nunc*, i. e. after all the statements (in the preceding section) to show that the charges against Milo were mere calumnies, and the suspicions of Pompey unfounded.

27. Hoc Clodianum crimen. It is no longer the present in-

Page 125 dictment, the charge of murdering Clodius, that we fear, but your suspicions, Pompey. The pronoun *tuas* is repeated with emphasis.

28. Exaudire. Fere semper *exaudire* est ita audire, ut dicta plane percipiantur, ubi nostrates fere *intelligere* dicere solent. Rarius in hoc verbo simplicis verbi *audiendi* vis aucta apparet. Exaudiuntur igitur verba, quæ clara voce ἐν ἐπηκόῳ dicuntur; dicanturne ex longinquo an ex propinquo nihil refert; nam etiam ex propinquitate ita dicas, ut vix proximi te exaudiant. See note on p. 43, line 11. Pompey was sitting in front of the ærarium, at some distance from the rostrum.

29. Suspiciones. It appears from Asconius, that Pompey, being interrogated by the Clodian leaders, as to whether his life had been attempted by Milo, told the story of Licinius; and that in addition to the precaution of confining himself to his gardens, on his return from raising the levies through Italy, he had refused to admit the visit of Milo, and of none else; and that when the senate was held in the portico of Pompey, to allow of his taking part in the business, Milo was the only man ordered to be searched before he was allowed to enter.

31. Delectus. Klotz: *dilectus* here and elsewhere.

32. Si Capitolinæ cohortes. For when danger threatened, or there was fear of disturbances, guards were set on the Capitol and other hills of the city. Compare note on p. 9, line 4.

33. Excubiæ .... vigiliæ. Conjunguntur hæc etiam, *pro Planc.* 42, et promiscue usurpantur, sic tamen, ut *vigiliæ* numquam de diurno tantummodo tempore dicantur.—*Delecta juventus.* Juventutis nomine præcipue equites designantur: hinc *princeps juventutis.*

36. Magna certe in hoc vis, &c. The consequent member of this hypothetical period seems to correspond only with the latter clauses of the conditional member, from *si Italiæ, &c.* These he answers by showing their absurdity, as they would imply courage and resources in Milo far above those of any single man; and, with regard to the extraordinary levies, by proving that they are called for by the necessities of the state without any reference to Milo. The answer to the first clauses of the conditional member is implied in the words: *Quod si locus,* &c., as if he said—"If you *fear* Milo, *it is wholly owing to misapprehension;* for if an opportunity had been afforded him, he would have proved to your satisfaction that no man was ever dearer to another than you to him, &c. And if he had failed in his proof, (*quæ si non probaret,*) he would have gone into exile; not, however, without calling you to testify his innocence, as he now does."

37. Non unius, sed multorum. So Hor. *Carm.* 4, 9, 39: *Consul non unius anni.*—*Indicantur.* See note on p. 124, line 38. Klotz gives *judicantur.*

40. Ægras .... labantes, corresponding respectively to *sanares* and *confirmares.*

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41. Quod si locus, &c. Had Milo been granted an audience. 125 But Pompey, as Asconius informs us, would not allow Milo access to him.

1. Peste. Clodius. 126

3. Consiliis tuis. And, therefore, though the advantage was mine, yet the obligation was also yours.

4. In periculo capitis, i. e. in periculo deminutionis capitis mediæ, for exile would have been the punishment, had Milo been condemned. See note on p. 85, line 1, for the meaning of *caput.—Adjutum.* Candidates were assisted in various ways by their friends; viz. in canvassing the electors of the city and the country, &c. Cf. Quint. Cic. *de petit. consulat.*

5. Se habere . . . . sperasse. Krebs, *Guide*, 402; Z. 605.—*Te tuo beneficio.* This is a true, though not an obvious ground of friendship. We all take a lively interest in our own work; e. g. the success of one whom we patronize.

7. Inhæsisset. Like a deep-rooted tree. Hence *evelli.* The common text is *insedisset.*

9. Næ iste. Z. 360 *Note.* Digito demonstrat Milonem.

10. Qui ita natus est et ita consuevit. Manutius: qui hoc habet et a natura et a consuetudine, ut otium salutemque patriæ rebus omnibus anteponat. Cf. ch. 14, init. The connection shows the relation (ὅς οὕτω πέφυκε); namely, so as to act the patriot.—*Magne.* When the young Pompey, A. U. C. 674, returned victorious from Africa, he was received as a second *Alexander;* the dictator Sulla went out to meet him, saluted him with the title of *Magnus*, and directed his attendants to join in the salutation. Cicero, *ad Att.* 2, 13, ridicules this surname of Pompey.

11. Antestaretur. Simpliciter est: te moneret, ut meminisses, se convenire te voluisse, et de sua innocentia, aliorum autem perfidia docere. Matthiæ. This is a technical word for "to call on a person to be witness to an arrest." If the defendant, when summoned to court, would not willingly follow, the plaintiff might call witnesses and bring him by force. The witnesses were necessary to testify to the unwillingness of the defendant, and to justify the force used. The witness was asked by the formula *licet antestari*, and if he assented, the plaintiff touched his ear to impress his duty on his memory. See Hor. *Sat.* 1, 9, 75. Milo, as Cicero exhibits it, had used only lawful force, to suppress the violence of the wicked for the welfare of the good, consequently for Pompey's welfare, to whom he had been ever grateful and true: this he calls Pompey to witness. Schultz: *ante testaretur.—Quod nunc etiam facit,* tametsi neque tui conveniendi potestas est facta, neque abit a patria sed in judicio se sistit.

CH. XXVI.—**12. Vide, quam sit varia.** See note on p. 97, line 1. The mention of banishment led Cicero to revolve the various turns

Page 126 of fate below; and this constrained him to break out in the following exclamation. The circumstance, therefore, under which it was uttered, is a sufficient answer to those who claim for this passage the praise of prophecy. That of beauty and pathos it cannot be denied. Some read *vides*.

13. Ratio. The course.—*Quam vaga.* Cf. Ovid, *Trist.* 5, 8, 15, *passibus ambiguis fortuna volubilis errat et manet in nullo certa tenaxque loco.*

14. Amicitiis. The common reading is *amicis.*—*Ad tempus aptæ*, accommodatæ et aptatæ; time-serving.

15. Fugæ proximorum. Cf. Senec. *Ep.* 9: *florentes amicorum turba circumsedet; circa eversos ingens solitudo est, et inde amici fugiunt, ubi probantur; hac re ista tot exempla sunt aliorum metu relinquentium, aliorum metu prodentium.*

16. Illucescet ille .... dies, quum .... desideres. It occurred in about four years after. After *fuit* (*erit*) *tempus* (*illud tempus, dies*), *quum*, there was once a time, when; there will a time come, when, (such a time, that,) the subjunctive almost always follows. So simply: *fuit, quum, de Orat.* 1. 1.

17. Salutaribus. So the MSS. Orelli remarks: Nihil omnino vetat, quo minus accipiamus, non tam *rebus salutem tibi afferentibus*, quam *rebus cum salute tua conjunctis:* nec probari potest vel Garatonii *salubribus* vel Ant. Augustini Weiskiique *salvis; salutaribus* majus quiddam est, quam *salvis.* Cf. *ad Fam.* 10, 23, 2, *salutariter recipere.* After *communium temporum* the editions commonly give *immutatis*, and this or *immutatus*, is found in some MSS., but not the best; therefore Madvig, Klotz, and others omit it.

18. Quam crebro. Sulla, Cinna, Catiline, were within the experience of Cicero.

20. Unius post homines natos .... viri, i. e. from the foundation of the world. Cf. 28, 77, *unum post hominum memoriam T. Annium.*—*Hominis .... viri.* See note on p. 93, line 34.

21. Quamquam. A correction, as if he said, "and yet why suppose that Pompey harbors suspicions against Milo, which his own acts disprove? Had Milo been disposed (in Pompey's opinion) to abolish trials altogether, would Pompey, clothed with supreme authority, have conceded a trial to Milo? Yet he did; while in the very choice of his position, he fully indicates his anxiety to protect you in the impartial expression of your opinions on this occasion."

22. Moris majorum. The formula quoted below: *ne quid res publica*, &c., came under the *mos majorum*, or common law. On this formula, see note on p. 10, line 4, and the reference there given.

24. Quo uno versiculo. *De Legg.* 2, 6, 14: leges Titias, Apuleias, Livias *uno versiculo senatus* sublatas commemorat, i. e. hoc eodem SCto.

25. Satis armati, i. e. subsidiis ad consilia sua perficienda instructi. Cf. Liv. 4, 53, *hoc decreto consul armatus*. Cf. ch. 1, 2.

26. Hunc exercitu. Addi solet pronomen, interjecta alia periodo, ita ut non raro emphasin habeat.

28. Tolleret, i. e. tollere auderet, sublatum iret, sc. by taking the law into his own hands, murdering Clodius, and plotting against Pompey.

29. Ista. The calumnies which were said to have excited the suspicions of Pompey.—*Legem tulit, qua . . . . liceret.* See ch. 6, 15.

31. Quod vero. Z. 627. "But in that," &c., i. e. by his taking post in that particular place; sc. the entrance to the treasury, as Asconius says. See ch. 25, 67, and ch. 1.

34. Cogere, ut. See note on p. 39, line 39.

35. Animadvertere ipse. See note on p. 17, line 32.—*Suo jure.* For the act permitted the consul *coercere modis omnibus* socios atque cives. Sall. *Cat.* 29.

36. Hesternam illam concionem. T. Munatius Plancus—post audita et obsignata testium verba dimissosque interim judices, vocata concione cohortatus est populum, ut clusis tabernis postero die ad judicium adesset, nec pateretur elabi Milonem. See ch. 2, init.

Ch. XXVII.—**38. Clodianum crimen,** quod Milo accusatur Clodium occidisse. He had contrasted this charge, ch. 25, with the suspicions of Pompey, and cleared away those suspicions. He now addresses himself to prove that the death of Clodius, being a service to the state, its perpetrator (Milo) had therein performed a glorious act. This is the second principal division of the confutation, called by himself, ch. 34, *extra causam*, the use and defect of which is noticed by Quinctil. 3, 6, and 4, 5. It was this line of argument that Brutus adopted in a written defence of Milo; but Cicero dissented from Brutus's ground of defence, as Asconius says: quod non qui bono publico damnari, idem etiam occidi indemnatus posset.

42. Mentiri gloriose. In saying *occidi*, i. e. per vim et insidias, which he has just disproved.—*Gloriose*, boastfully, proudly, glorying in it.

43. Occidi, occidi. This period is much praised by the old rhetoricians. Quinctil. 5, 11, 12, and 9, 3, 28: *nam et verba geminantur, vel amplificandi gratia, ut: Occidi, occidi, non Sp. Mælium, alterum est enim, quod indicat, alterum quod affirmat.*—*Sp. Mælium.* See note on p. 9, line 24.—*Jacturisque.* See note on p. 65, line 8.

1. Appetendi. Z. 652.—*Ti.Gracchum.* Cicero, from his political principles, held the view, which the younger Africanus expressed: *Ti. Gracchum jure cæsum videri.* Cf. ch. 3, 8; *de Off.* 2, 12 fin. In the latter passage, he likewise passes a general sentence of condemnation on both Ti. and C. Gracchus, while here he makes prominent a single act of Ti. Gracchus as worthy of death.

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2. Collegæ. Octavius, the colleague of Ti. Gracchus in the tribuneship, opposed his Agrarian law, and had a right by his veto to prevent the reading of it before the people. They opposed each other with honorable weapons, with the power of eloquence, without personal abuse. But Gracchus was compelled to find a means of setting aside his opponent who was unyielding in his opposition. Though the person of a tribune was inviolable (sacrosanctus), he had his colleague dismissed from his office by the people. That was a seditious proceeding, and the people had no right and no reason to depose him. The only justification Gracchus could bring for his measure was political necessity. If the end justified the means, Gracchus needed no defence, but deserved the highest praise of a determined statesman; but it is certain, that, with only the appearance of legal right, he destroyed a wise regulation of the Roman state, and in his noble efforts, which the present age better understands and appreciates than an earlier, committed a mistake, which is so much the more sad, as upon the Roman horizon the morning of a day dawned, in which law and justice were silenced. Compare note on p. 9, line 20.

3. Interfectores. Servilius Ahala and Scipio Nasica.

5. Nefandum adulterium. See ch. 5, 13. *Nefandum* gravius est, quam *nefarium*, propter pollutam religionem, quæ ipsum adulterio incesti nomen adjunxit, et propter insolentiam facinoris ac novitatem; de qua Cic. *Harusp.* 3: *etenim illos* (deos) *eo scelere violavit, quo nemo antea.* Sed paulo post est *nefarium stuprum cum sorore germana.* Sed ne stupra quidem legibus vetita *nefaria* Cic. appellare solebat, nisi crimen aliquod vulgaribus flagitiis gravius inesset. Cf. *in Pison.* 4, 9: *Ab eodem homine, in stupris inauditis* (quum sacra Bonæ deæ adulterio violavit) *nefariisque* (sororis germanæ) *versato.*

6. Nobilissimæ. Vestal virgins and noble matrons who had assembled at Cæsar's house, to perform the rites of the goddess Cæsar was Pontifex Maximus.

7. Religiones expiandas. See *de Harusp. resp.* 12, 13.

8. Cum sorore germana. P. Clodius had three sisters, the youngest of whom and the one here intended, was married to L. Lucullus. Elsewhere Cicero speaks of Clodius's being guilty of the same crime with his other sisters.

9. L. Lucullus juratus. On his return from the third Pontic war, he discovered the guilt of his wife, and repudiated her. The occasion of the testimony referred to was the trial of Clodius (ch. 5, 13) A. U. C. 693.—*Juratus.* Z. 633.—*Quæstionibus habitis.* The slaves of Clodia were put to the torture.

10. Civem. Cicero himself.

12. Servorum armis exterminavit. Ch. 14, 36; *in Pison.* 10.

13. Regna dedit, ademit. Through Clodius's influence, exerted for a bribe, Brogitarus of Galatia, son-in-law of Deiotarus, was made

priest of Cybele at Pessinus, and received the title of king. *Sest.* 26 sqq.; *de Harusp. resp.* 13. On the motion of Clodius, when tribune of the people, a decree was passed, by which M. Cato was sent with the powers of prætor to take possession of the island of Cyprus, with the treasures of its king, Ptolemy, and reduce the island to the form of a province.—*Orbem terrarum .... partitus est.* In return for services which the consuls Piso and Gabinius had rendered to Clodius in his efforts to destroy Cicero, he proposed a bill, by which they had the provinces of Macedonia and Syria assigned to them, with extraordinary powers. *Sest.* 10, 24; 14, 33; 24 sqq. By the lex Sempronia of C. Gracchus, it was the duty of the senate to determine the consular provinces before the election of the consuls, so that the consuls after their consulship could draw lots, or agree in regard to those provinces only which had been previously designated. *Pro domo*, 9, 24.

15. Civem. Pompey. See ch. 7, 18 and 19.

17. Ædem Nympharum. In this temple, as being most secure from fires, were kept the public registers of the censors. It was burned in the disturbances which preceded the exile of Cicero, though the motive here assigned may have been unfounded. *Cæl.* 32, 78; *Parad.* 4, 2; *Sest.* 39, 84; 44, 95; *Harusp.* 27.—*Memoriam publicam recensionis. Recensio* = actus recensendi is not elsewhere found in Cicero. Suetonius uses it, *Cæs.* 41. Clodius could not obliterate the ignominy which was the result of the *animadversio* (*castigatio*, *notatio*, *notio*) *censoria*, though he might remove it from the public recollection, by destroying the censors' tablets, where it was recorded. The repetition of *publicam* in *publicis* makes this notion emphatic.

19. Cui .... erat. Who regarded, &c. From Clodius's public crimes the orator passes to his private life. He trampled under foot the laws.

20. Nulli possessionum termini. *Possessio* = both the right of possession, and, as here, actual possession. The stories respecting the god Terminus show the feeling of the ancient Romans with regard to the certainty and sacredness of landmarks. A remarkable passage is found in one of the agrimensores: *qui contigerit moveritque possessionem, promovendo suam, alterius minuendo, ob hoc scelus damnabitur a diis. Si servi faciant, dominio mutabuntur in deterius; sed si conscientia dominica fiet, celerius domus exstirpabitur genusque ejus omnis interiet, &c.*—*Calumnia litium.* Unjust law-suits; the twisting or perversion of right in litigation. *Calumnia* = trick, artifice, chicanery, and is opposed to veritas, fides, æquitas.

21. Vindiciis ac sacramentis. The orator makes use here of technical expressions belonging to the Roman process, to bring out strongly the contrast between the judicial prosecution of unjust claims to others' possessions, and the open violence with which Clodius seized

Page 127 possession of others' property. *Vindiciæ* is the mock contest of the two parties, (therefore the plural as *induciæ*,) who, appearing before the prætor to make good their claim, exhibit force in asserting it, (vim dicere, δεικνύναι.) They both take hold of the thing in controversy, (or a piece of it to represent the whole,) lay the festuca (vindicta) on it and maintain: *H a n c rem ex jure Quiritium meam esse aio.* The *vindiciæ* form only the introduction to the process. Also by the following *ac* (*injustis*) *sacramentis*, the beginning of a suit is indicated, inasmuch as the parties deposited a pledge or gage, to be forfeited by the loser; the gainer of the cause receiving his back. This pledge went to the state, and was especially applied to the *sacra publica;* hence the name *sacramentum*. Varr. *l. l.* 5, 180. Here the special parts in the commencement of a suit are taken for the whole suit.

23. Etruscos. Ch. 9, 26.—*Hunc P. Varium.* Ch. 9, fin.

25. Cum architectis et decempedis. Cf. *Phil.* 14, 4, 10, where Cicero speaks of Antony, as he does here of Clodius.

27. Janiculo et Alpibus, i. e. the entire of upper Italy, from Rome to Gaul.—*Terminabat.* Klotz: *terminarat.*

28. Equite Romano splendido. *Equites Romani* are the knights, *qui publico equo stipendia faciunt* or *qui equum publicum habent*, Liv. 39, 9 : 24, 18, in distinction from those *qui equo privato stipendia faciunt.* Only the former have the distinctions and the *splendor* which belong to the rank of knight; and only they, at least to the time of the Gracchi, have the name *Equites.*

30. Prilio. Now lago di Castiglione in Etruria near Rusellæ.

31. Arma. Recte Garat. monet arma per vim ædificanti fuisse necessaria, eorumque commemorationem solam facere potuisse, ut *vim armatam* intelligeremus. Some understand by *arma* tools.—*Dominoque .... inspectante.* This was an aggravating circumstance.

32. Ædificium exstruere in alieno. For the expression, compare Liv. 39, 55. It was a principle of the Roman law: *accessio cedit principali* (sc. *rei*) and with a more special application: *superficies solo cedit*, and *omne quod inædificatur solo cedit.* *Inst.* 2, 1, 29. Later constructions of the rule which is very old are: If one built on another's ground with his own materials, knowing it to be another's, (*mala fide*,) he forfeited the building. *Inst.* 2, 1, 30. D. 41, 1, 7, 12. In the older law this was surely the rule without exception and without limitation. If the builder supposed the land his in good faith, he could claim to be indemnified. Clodius came under the former case, but he did not fear the legal consequences, therefore he built even in sight of the owner of the island, for his principle was, "might makes right," and he showed by his proceedings, that he hoped to acquire by force the island, which the owner would not sell to him.

33. Huic T. Furfanio. One of the judges; a friend and correspondent of Cicero. *Fam.* 6, 8.

36. Sed ausus est. On *sed*, see note on p. 29, line 3. Klotz and Süpfle with MSS. give *sed ausum esse,* &c. The former considers the infinitive as chosen by Cicero to express, in a lively manner, surprise and displeasure, with which force it often occurs with the enclitic *ne.* Süpfle takes it as an anacoluthon occasioned by the long parenthesis.

37. Mortuum .... se illaturum, ut Furfanius cædis auctor videretur.

38. Qua invidia. By the odium consequent on which this honorable man should be overwhelmed.

39. Appium fratrem. Appius Claudius Pulcher, the oldest brother of P. Clodius, and predecessor of Cicero in the government of Cilicia. The third book of Cicero's letters is addressed to him.

40. Absentem .... dejecit. *Dejicere* is the technical expression for a forcible or violent ejectment of a person from his possessions. Before Cicero's time *detrudere* was common. If one's house or ground were entered and taken possession of by force during his absence, he was regarded as *dejectus,* and as such could use the *interdictum de vi.*

41. Sororis. This was probably the second of Clodius's three sisters, the wife of Q. Metellus Celer, since the dwellings of P. Clodius and Q. Metellus on the Palatine, were contiguous. She became infamous for her debaucheries, and was often called by the nickname *Quadrantaria.* The *vestibulum* was not a part of the house, but, as explained by Gellius, the place, *per quem a via aditus accessusque ad ædes est.*

CH. XXVIII.—**44. Quamquam,** &c. The preceding chapter contained a review of Clodius's *past* enormities, forming a sort of descending series from the profanation of the rites of the Bona Dea to the building a partition across his sister's courtyard. In this is sketched his *intended* crimes, and the praise due to Milo for cutting short his mad career inferred.—*Tolerabilia.* In comparison of the evils which he was likely to inflict on the state.

1. Etsi, &c. Etsi non debebant tolerabilia videri, *quia .... irruebat; sed .... usu jam obduruerat civitatis patientia.*

2. Propinquos = vicinos, neighbors.

3. Nescio quomodo. Z. 553.—*Percalluerat.* Callo obducta, obdurata erat.

6. Imperium ille si nactus esset. How Clodius hoped to gain the *imperium,* appears from ch. 9, 24. The apodosis of this period begins with *a liberis,* &c.

7. Tetrarchas. This name was now a mere title for petty subordinate princes.

9. Pecunias. *Pecunia* sometimes has a wide sense, covering all one's property or possessions. In the old legal language it is often

Page 128 found in connection with *familia*, which then embraces the persons in the potestas of the pater familias, especially the slaves, and *pecunia* includes the rest, particularly lifeless property. This signification suits our passage.

11. Patent, ... nota sunt .... tenentur? Res manifestas continet verbum *patent*, conscientiam omnium et testimonium ea significant, *quæ nota sunt omnibus*, convicta sunt probationibus, *quæ tenentur*. Klotz omits *hæc* after *fingi*.

12. Servorum exercitus. With reference to the rule, by which slaves were excluded from military service. See *Deiot*. 8, 24. The *servi publici*, it would appear, were used as rowers in the marine. The *jus militiæ* was a right inherent in the *civitas*. It was a Roman proverb: *Quot servi, tot hostes*. Cicero often speaks of Clodius's being surrounded with a band of slaves, ch. 14, 36.

18. Cervicibus. Z. 94.—*Per me ut unum*. Some read *per me unum ut*. See Z. 356.

19. Pudor, Pudicitia. See note on p. 92, line 15. *Pudor*, αἰδώς, ejus est, qui male facere reformidat, non ejus, quem male factorum pudet; ejus pars est *pudicitia*.

20. Esset vero timendum. Ironical. Non quærit illa orationis forma, sed eam vim habet, ut ostendat, *minime* id fuisse timendum: sententiaque ita significata statim argumento confirmatur, *nunc enim quis est*, &c.

27. Summorum imperatorum. Marius, Sulla.

29. Mandate hoc memoriæ. He foretells that they will attribute every future blessing to the removal of Clodius, and he bids them note that he now said so. Matthiæ notices that the legitimate order is abandoned, which would be the following: *Mandate hoc memoriæ, etsi sperem multa vos ... esse visuros, tamen in iis singulis vos existimaturos.*

34. Hoc ipso summo viro. Pompey, who, appointed to be sole consul, had passed some salutary laws against bribery and corruption, and attempted to reform the state.

35. Legibus et judiciis constitutis. Klotz: *legibus et institutis constitutis;* and below, line 39, *domino* for *homine*. The variation appears to be in each instance a typographical error, as no authority is given.

38. Ea, quæ tenetis, privata. See ch. 27, 74.—*Dominante*. § 78, *imperium ille si nactus esset.*

CH. XXIX.—**41. Non timeo, &c.** Having now detailed *all* the enormities of Milo, Cicero apprehensive that the feelings of the judges did not accompany him in his exaggerations, resolves to give them a palpable proof of their abhorrence of Clodius. This he does by supposing him recalled to life; the bare thought astounded them. Nay, he adds, Pompey would not recall him. Therefore Clodius was a ty-

rant, and his murder meritorious.—*Odio .... inimicitiarum*, i. e. odio ex inimicitiis orto. 128

42. Libentius .... quam verius. Z. 690. Fatetur Cicero se libenter in Clodium invehi, sed ita, ut omnes intelligant, nihil se odii causa confingere, nihil amplificare.

43. Etsi præcipuum, sc. odium meum; being banished by Clodius, my brother nearly killed, my family persecuted, my property confiscated, my house burned, &c. *Communi* opponitur *proprium* et *præcipuum*, quod, qui nunc latine scribunt, *peculiare* dicunt. Hinc *proprius* jungitur cum *meus, tuus, suus.* Klotz: *Etenim si,* &c.

44. Pæne æqualiter versaretur. Was almost on an equality with; i. e. did not much exceed.

3. Quin sic attendite. As the magnitude of Clodius's guilt admitted neither of expression nor conception, he thought the judges might best approximate to the idea of it, by supposing his recall to life. 129

6. Cernimus. *Cernere,* related to κρίνω, properly denotes to distinguish, then to know; *videre,* also connected with the root of *dividere,* properly signifies to divide and see, but soon took the general notion of seeing or perceiving by the organs of sight, while *cernere* holding more firmly to its original signification, is elsewhere, as here, contrasted with *videre.* Cf. *Tusc.* 1, 20, 46: *Nos enim ne nunc quidem oculis cernimus ea, quæ videmus.* Some read *cernamus.* Klotz omits *igitur* after *fingite.*

7. Conditionis meæ, quam vobis propono verbis *si,* &c. Sed ea conditione proposita abrumpitur oratio verbis *quid vultu extimuistis?* ita ut absorpta sit apodosis. Form, I say, in your own minds, a distinct image of the proposition which I make to you: suppose I could bring you to acquit Milo, but on the condition that Clodius should be brought to life—. Cicero artfully connects the acquittal of Milo with the reanimation of Clodius; as well to keep the former ever before the minds of the judges, as to reconcile them to it the more, when they should perceive it to be relieved from such a fearful condition.

8. Sed ita. Z. 726.

10. Quid? si ipse Cn. Pompeius. Nay, Pompey, the best and bravest man alive, would not, if he could, recall Clodius to life. Therefore his death must have been a public benefit. For *percussit,* Klotz gives the stronger but unusual *perculsit.*

11. Qui ea virtute ac fortuna est. In Pompeii laudibus, quæ maximæ, plurimæque cumulantur *pro Balbo* 4. hæc exstat: *in quo uno ita summa fortuna cum summa virtute certavit, ut omnium judicio plus homini, quam deæ tribueretur.*

12. Aut quæstionem .... aut ipsum. So with the best MSS. Klotz and others. Garat. defends the common reading, *ut quæst. .... sic ipsum.*

14. Utrum = utram rem, which of the two, sc. *quæstionem ferre*

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129 or *ab inferis excitare.—Propter amicitiam.* Pompey having become reconciled to Clodius a short time before his death, ch. 8.

15. Evocare. Klotz with the best MSS. *avocare;* some *revocare.* Garat. prefers *evocare,* and remarks: hoc (*evocare*) propius est antecedenti *excitare,* et magicum habet quiddam, quum *evocari manes* iis artibus dicerentur.

17. Cujus vitam si putetis .... nolitis. Z. 524 *Note,* in fin. Significat fieri adhuc posse, ut putent; at, ut reviviscat, non potest.

18. Qui si, &c. = de quo, si. See Z. 804.

19. Hujus ergo interfector si esset. Matthiæ defends the common reading *qui esset,* for which, from the best MSS. Garatoni, Orelli, Klotz, &c., give *si esset.*

21. Græci homines. A Grecism: compare the Homeric πόλις Μερόπων ἀνθρώπων, and ἄνδρες Κίλικες, Ἀθηναῖοι, &c. The contrast is in *Vos t a n t i conservatorem p o p u l i.—Iis viris,* e. g. Aratus, Timoleon, Pelopidas, and Brasidas, in other cities; in Athens, Harmodius and Aristogiton. Pliny, *N. H.* 34, 4, says the Athenians first erected statues of Harmodius and Aristogiton the same year in which the kings were expelled from Rome. Slaves were not allowed to be called by their names.

23. Quas res divinas. Demosth. περὶ παραπρ; p. 431, 16, de Harmodio et Aristogitone loquens, οὓς νόμῳ διὰ τὰς εὐεργεσίας, ἃς ὑπῆρξαν εἰς ὑμᾶς, ἐν ἅπασι τοῖς ἱεροῖς, ἐπὶ ταῖς θυσίαις σπονδῶν καὶ κρατήρων κοινωνοὺς πεποίησθε, καὶ ᾄδετε καὶ τιμᾶτε ἐξίσου τοῖς ἥρωσι καὶ τοῖς θεοῖς. Alibi de his rebus sacris nihil memini me legere. Sed notissimum est carmen σκολιόν, Ἐν μύρτου κλαδὶ τὸ ξίφος φορήσω κ. τ. λ. Matthiæ.

24. Quos cantus? Quæ carmina? For fragments of these songs, which were sung at festivals and entertainments, see C. Dav. Ilgen Σκόλια hoc est carmina convivalia Græcorum, p. 58 sqq.

25. Consecrantur, quæ inter deos referuntur et cultu divino afficiuntur. *Ad religionem,* ita ut religiose colantur et memoria hominum vigeant. *Immortalitatis* autem *religio* est, qualis immortalitati sive naturis immortalibus, i. e. diis debetur.

CH. XXX.—**31. Etenim, si id,** sc. that he slew Clodius in self-defence. An *a fortiori* argument.

33. Nisi vero. "Unless truly," &c., which is absurd. Z. 526.

34. Sui se capitis quam vestri, &c. Klotz, Steinmetz, and others retain *ordinis* after *vestri.—Quum præsertim,* refertur ad sententiam non verbis expressam, sed in eorum, quæ præcedunt, conformatione latentem. Quum enim formula *nisi vero* usurpetur, ubi absurdi quid commemoratur in verbis *nisi vero—fuisse,* hæc inest sententia: gratissimum vobis putat esse, se vestri capitis defensorem fuisse, idque libenter prædicaret, quum præsertim, &c. See note on page 90, line 25.

35. In ea confessione, dum ea confiteretur. Poterat etiam di-

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cere *ea confessione* sine *in*, ut id indicaret, quo efficeretur, ut honores assequeretur amplissimos. See note on p. 25, line 5.

36. Si factum. That Milo slew Clodius, not in self-defence, but in your defence. He reasons on this supposition all through to *niteretur* below

38. Sed tamen si. See note on p. 29, line 3. Quamquam nemo esse potest cui salus sua non probetur, si *tamen*, &c.—*Minus* ... *grata cecidisset.* Had proved displeasing.

39. Cederet ex. Ch. 25 fin. without the preposition.

41. Propter quem. See note on page 123, line 10. Z. 452.—*Quamquam*, is corrective. He had supposed (what was hardly possible) that had he slain Clodius in its defence, his country would not thank him for so doing; he would therefore abandon so ungrateful a country—yes, ungrateful, to make the author of their joy the only one sorrowful, and yet (*quamquam*, &c.) this is what we patriots all expect, danger and odium; without which where in fact would be our merit? Wherefore if Annius had slain a tyrant, he would have frankly confessed it; rejoiced, if his country approved; if not, rejoiced at the consciousness of having done his duty. *Sed*—But unhappily for his fame, he did not. The fortune of Rome and the gods claim all the merit. They had long borne with his enormities, to which Milo, ch. 32, was the only impediment. They therefore inspired him with the idea of attacking Milo in the very place where he had most outraged the laws. Ch. 33. He did so and fell. And this leads to the peroration.

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1. Quæ mihi ipsi tribuenda laus esset, ... si ... arbitrarer, nam nulla mihi tribuenda laus erat, si arbitrabar. Nos diceremus: *tribuenda fuisset, si* arbitratus essem. Z. 525.—*Tantum.* The suppression of Catiline's conspiracy.

4. Quæ mulier, &c. Klotz: *Quæ mulier interficere sceleratum .... civem non auderet?*

11. Ahala ... Nasica ... Opimius ... Marius. See notes on p. 9, lines 20 and 24; p. 10, lines 3 and 9.

13. Conscientia sua niteretur. Z. 452.

14. Sed. But so far from Milo having any claim, the fortune, &c. Cicero, by making the death of Clodius a matter of religious concern, in which the gods participated, renders Milo no trifling service towards gaining the favor of the people. Compare a similar passage, 3 *in Cat.* 9.

16. Nullam vim esse ducit numenve divinum, &c. This beautiful passage is one, from which, with others scattered through his writings, we learn Cicero's views respecting the existence of a deity, and the grounds of his belief. Cf. *de Nat. Deor.* 1, 9; *Tusc.* 1, 13. For the positions of the adjective when common to two substantives, see *P. C.* p. 236, 18.

Page 130 CH. XXXI.—**23. Est, est profecto illa vis.** Cf. 27, 72. *Occidi, occidi,* &c.—*Neque . . . inest . . . et non inest.* See the thought more fully exhibited, *de Legg.* 2, 7, 16. The name of the logical form of this sentence is *conjunctionum negantia* or *negatio.* Cic. *Top.* 14, 57. Cf. *de Fato,* 8. It is a form of the argument *a minori ad majus.* Compare note on p. 9, line 19. The meaning is: Nor is there in these mortal frames an active, thinking principle, without its being in like manner in the system of nature, i. e. if it be in the former, *a fortiori* it is in the latter. Proprie dicendum erat: quum in his corporibus—insit quiddam, quod vigeat et sentiat, multo magis hoc inest, &c. But the Greek and Latin writers often place two sentences in juxtaposition as co-ordinate, although the relation between them is causal: as, instead of the above, in his corporibus inest quiddam, quod vigeat et sentiat, et hoc idem inest in naturæ motu, for which, however, a double negation is substituted, so that the first *neque* extends to the whole proposition, but especially applies to the second member. Although the Stoics particularly delighted in this form, the orators also used it in climaxes. Compare *ad Herenn.* 4, 25, 34, and the passage from Demosthenes in note on p. 123, line 44. See note on p. 47, line 11.

25. Sentiat, et non inest, &c. Klotz: *sentiat, non inest,* &c.

26. Nisi forte. Z. 526.—*Idcirco . . . . quia.* See note on p. 26, line 7.

27. Non apparet. Cf. *Tusc.* 1, 22, 50.

30. Ea vis igitur ipsa, i. e. ea inquam ipsa. See note on p. 46, line 12. *Is* is correct, when the speaker *returns* to a person or thing before named.

32. Cui primum, &c. Cf. ch. 33, init. and § 89. The deity infatuated Clodius, to lead him to his ruin. This reminds us of ἄτη.—*Mentem injecit, ut . . . . auderet vincereturque,* i. e. *mentem injecit ut . . . . auderet;* quo factum est, *ut vinceretur.*

35. Sempiternam, i. e. all his life.

37. Religiones ipsæ, sc. ædes, aræ, cærimoniæ, or rather, the gods which belong to them, and which alone can be said to "bestir themselves."

38. Commovisse se. This expression points to the well-known prodigy of Mars and Juno shaking their spears. Liv. 21, 62; 40, 19; 24, 10. Gell. *N. A.* 4, 6. Cicero skilfully avails himself of the superstitions of the people, to work upon their minds.—*In illo,* sc. puniendo, i. e. dum illum puniebant. See note on p. 88, line 37.

39. Retinuisse. Maintained, asserted. They seemed heretofore to have waived it.—*Vos enim jam.* Z. 824. This apostrophe to the sanctuaries of Alba is specially commended by Quinctilian, 9, 2, 38; 11, 1, 34; 12, 10, 62. The Alban mount was in sight from Aricia near Bovillæ.—*Albani tumuli atque luci.* Clodius had a villa

in the Alban land; and it would appear that in the building of it he had destroyed some old groves and altars attached to Mons Albanus, where the Latinæ feriæ were celebrated. Mons Albanus was covered with trees; but we may suppose that every little hillock and grove was the site of an altar for these occasions.

41. Sacrorum populi Romani sociæ et æquales. Liv. 1, 7, says of Romulus: *Sacra diis aliis Albano ritu, Græco Herculi ut ab Evandro instituta erant, facit.* The worship of Vesta particularly was derived from Alba. After the destruction of Alba, the joint worship continued, whence Cicero, making use of an expression of public law, calls the Alban altars *populi Romani sociæ et æquales.* As in a surrender the conquered people were obliged to make over to the Romans *divina humanaque omnia,* so the gods and sanctuaries were included in the league. The common worship of Juno Sospita in Lanuvium and Rome is well known. Liv. 8, 14, and above, ch. 10, 27. The temples and altars of Alba had not been destroyed in the destruction of the city; Clodius destroyed them.

43. Substructionum insanis molibus. See ch. 20, 53.

44. [Aræ.] This word, if correct, is the vocative, like *obrutæ aræ,* above. Madvig now rejects it entirely. Klotz retains it without the brackets.

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1. Tuque .... Latiaris sancte Juppiter. The form *Latiaris,* not *Latialis,* is confirmed by Priscian, though MSS. confound them. In the sacred grove, on the lofty Alban mount, sacrifice was performed to Juppiter Latiaris, the guardian god of the old Latin league, and afterwards also the highest national god of Latium.

2. Lacus. The beautiful Alban lake lay at the foot of the mountain on the west—an oval sheet of water about six or seven miles in circumference. The plural is not merely oratorical, as other writers also have *Albani lacus.*

5. Solutæ sunt. Cicero skilfully makes the death of Clodius a propitiatory sacrifice. His crimes against the gods had long before brought down upon him the sentence *Sacer esto,* which it was every one's duty to execute.

6. Nisi forte. Cicero thought it absurd to deny a providential interference, in the fact of his death happening in the very presence of the goddess whose rites he had profaned.

7. Sacrarium Bonæ Deæ. The rencontre was near this chapel.

10. Acciperet. Steinmetz, Klotz, and Süpfle *acceperit.* In perfecto simplex inest facti notio: in imperfecto etiam necessitatis et consilii divini, quasi dixisset; *ut eum oporteret vulnus accipere, ita volente numine Bonæ Deæ.* Unless we wish to maintain that it was mere chance, that he must receive that wound. See Z. 514.

11. Judicio illo nefario. Wherein he was tried for the violation of the mysteries. Ch. 5, 13. Cicero here, as often in his letters,

Page 131 characterizes the trial, in which Clodius was acquitted, as infamous. *Ad Att.* 1, 16, 18.

CH. XXXII.—**13. Nec vero,** &c. Z. 808.

14. Injecit amentiam. So § 84.—*Sine imaginibus.* The *imagines* were wax masks, made to resemble the deceased ancestors, and colored. (Juven. *Sat.* 8, 2, *pictos vultus majorum.*) In the atrium figures, dressed in the costumes of the deceased, wore these masks; in triumphal and funeral processions men carried them before their faces, and thus the ancestors accompanied their descendant on his greatest and last day of honors, when he went to join them. It was also customary to have these figures, as they stood in the atrium, borne before the procession.—*Sine cantu,* tibicinum, siticinum cornicinumque.

15. Ludis scurrarum, histrionum gladiatorumque, qui in funeribus indictis edi solebant.

16. Oblitus. Not *oblitus* from *obliviscor,* but *oblitus.* Cadavera lavabantur ungebanturque a pollinctoribus.

17. Amburereretur abjectus. See ch. 13, and ch. 33, 90.

18. Clarissimorum virorum formas, i. e. imagines, quæ proprie vocantur. Clodius's father, uncle, grandfather, great-grandfather, and the grandfather of his great-grandfather were consuls.

19. Parricidæ. See note on p. 111, line 40.

20. Mortem ejus. A bold metaphor for *mortuum,* suggested by the antithesis *vita* for vivus. Cf. *Sest.* 38, 83; *Cluent.* 71, 201; Propert. 3, 4, 6: *Nec sit in Attalico mors mea nixa toro.*—*Lacerari.* See ch. 13, 33.

22. Dura .... videbatur, i. e. I did think the goddess of Roman fortune cruel in bearing so long with Clodius; but I now confess my error: she knew better the time and agent for punishing him.

24. Polluerat, &c. He now enumerates the enormities of Clodius, most of which are touched on before. Of course the pollution of the mysteries of the Bona Dea stands first. See ch. 5, 13.

25. Senatus .... decreta. See ch. 5, 13. Cf. 33, 90 fin. They had ineffectually voted *ejus supplicio sollennes religiones expiandas. Ad Att.* 1, 13, and 14.—*Pecunia se .... redemerat.* Alluding to the trial for sacrilege. See *ad Att.* 1, 16. To this fact the fragment refers, from the oration *de ære alieno Milonis; iterum a piratis redemptum. Quo enim nomine appellem eos, qui te pretio accepto liberaverunt?* On which the *Schol. Bob.*: Significat judices eos, qui accepta pecunia reum de incesto absolverant Clodium. Compare note on p. 110, line 31.

26. Vexarat .... senatum. By procuring the proscription of Cicero, and inducing the consuls to forbid their mourning for him. See *Sest.* 7 sqq.

28. Gesta. Cicero's acts against the Catilinarian conspirators,

which he, by vote of the senate and with the concurrence of all the orders, had as consul carried into execution.—*Me patria expulerat.* Ch. 14, 36.—*Bona diripuerat. Sest.* 24, 54. The *aquæ et ignis interdictio,* as also voluntary exile to escape a sentence or a capital punishment, was attended by the confiscation of the property of the proscribed or exiled, which was sold by the quæstor as a whole in the name of the state to the highest bidder. The purchaser took it with the indebtedness upon it, so that if the debts were great, but a small sum came into the treasury.—*Domum .... vexarat. Sest.* 69, 145: *eversa domus est, fortunæ vexatæ, dissipati liberi, raptata conjux,* &c. See Introduction, p. 375.

29. Cn. Pompeio .... bellum indixerat. See ch. 7, 18.

30. Magistratum .... cædes effecerat. The slaves of Clodius attacked the tribunes Sestius, Fabricius, and Cispius, and much bloodshed was caused; but they escaped. See *Sest.* chaps. 35 and 36.

31. Domum .... fratris incenderat. Not at the same time with Cicero's Palatine house, but in the following year, A. U. C. 697. See *ad Att.* 4, 3, 2. Introduction, p. 376.

32. Vastarat Etruriam. See ch. 9, 26; 21, 55; 27, 74.

34. Incidebantur, &c. This being due only to laws actually ratified, was a proof of the insolence of Clodius. His laws were engraved on brass before he served on the magistracy in which he was to bring them forward!

35. Quæ nos servis nostris addicerent. See note on p. 116, line 6. From the time of the well-known censor Appius Claudius, A. U. C. 442, frequent attempts were made to give to the libertini the right of voting in all the tribes, and this was a principal means in the hands of the *populares* of gaining favor and followers from among this class. See note on p. 113, line 42. Counter attempts were as frequently made to confine the voting of the libertini again to the four city tribes. When thus confined, they, though very numerous, could exercise no decisive control over the elections; but if permitted, as was the design of Clodius's law, to vote in all the tribes, they would have the control; and the language of Cicero is not perhaps very extravagant. Cicero here calls the libertini *servi,* in the same spirit in which he calls, *p. Rosc. Am.* 48, 140, Chrysogonus a *servus nequissimus.* So he often designates the Clodian mob as *servorum manus,* or the like. Compare Tac. *Germ.* 25, where he says of the Germans: *liberti non multum supra servos sunt.*

36. Hoc anno. The year of his prætorship.

38. Illum ipsum. Pompey, to whom he had become reconciled. See ch. 8, 21. Klotz: *obstare poterat.*

39. Cæsaris potentiam. Cæsar was now pursuing his victories in Gaul, leaving Pompey to conduct the home department. Crassus

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131 the preceding year had lost his life in Parthia. Klotz: *Cæsaris potentiam suam potentiam esse.*

40. In meo casu. See ch. 14, 36.

Ch. XXXIII.—**42. Hic.** See note on p. 57, line 26.—*Ut supra dixi.* Ch. 31, 84.

43. Huic. Milo.

132 **1. Senatus .... circumscripsisset.** Would have restrained him in the exercise of his power. Magistrates were dependent upon the senate as the supreme administrative authority, and therefore the senate could check them if they overstepped their province, and misused their office, the fulfilment of the duties of which must be sworn to both on assuming it and on laying it down. *Circumscribere* in this sense (see just below *in prætore coercendo*) is found also *ad Att.* 7, 9, 2: *trib. pl. .... SCto circumscriptus. Phil.* 2, 22, 53: *circumscriptus a senatu esset Antonius. Ibid.* 13, 9, 19.—*Credo.* With an ironical force, as frequently.

2. Id facere, sc. magistratus circumscribere. For Sulla had increased the authority of the senate by abolishing the tribunes' veto, which Pompey afterwards restored.

3. Profecerat. Clodius baffled the senate in the trial for incest. Ch. 5, 13, and ch. 32, 87: *senatus gravissima decreta perfregerat.* The argument is one *a fortiori:* Not even when it used to do this, sc. coerce, had it effected any thing in the case of this same Clodius as a private citizen.—*An consules,* &c. See ch. 9, 25: *mancam ac debilem præturam,* &c., and ch. 13, 34: *consul ... constringere.* According to the principle: *Par majorve potestas plus valeto, de Legg.* 3, 4, a consul could keep a prætor within bounds. Val. Max. 7, 7, 6, gives an instance of appeal to the consul against a prætor. Liv. 5, 9, fin.

5. Suos consules, sibi faventes, et addictos. Hypsæus and Scipio, his nominees.

6. Virtutem consularem, in consulatu præstitam a Cicerone: nam propter res in consulatu fortiter, i. e. cum virtute gestas Clodius vexavit Ciceronem vel *res ejus gestas* ut est pro Sest. 5 in. *Virtus* autem vexari simili modo dicitur, ut supra 32, 86, *mors lacerari.*

7. Oppressisset .... teneret. See ch. 28.

8. Lege nova. See chaps. 33, 87, and 12, 33: *Exhibe librarium illud legum vestrarum.* Clodius wished to effect a second emancipation of the libertini, so that they should be in a measure *his* liberti, and he the patronus of them all.

10. Nisi .... impulissent. For which, ch. 33 init. *mentem dare.*

11. Effeminatus. See ch. 21, 55.

12. Nullam haberetis. *De Orat.* 1, 9, 38: (pater Gracchorum) *libertinos in urbanas tribus transtulit; quod nisi fecisset,*

rem publicam, quam vix nunc tenemus, jamdiu n u l l a m h a b e r e m u s.

13. Hæc templa. Which surrounded the forum.

16. Satellitibus. Properly the body-guard of a king; but used by the Romans, who hated every thing regal, to signify "bravoes, accomplices, aiders, and abettors in crime."—[*Sex. Clodio.*] Klotz and others without the brackets.

18. Templum, curiam, locum inauguratum; *sanctitatis*, i. e. where sanctity, or inviolable honor, holds its seat; and *amplitudinis*, majesty; *mentis*, wisdom.

19. Consilii publici. See note on p. 11, line 30.—*Urbis*, not *orbis*, which in Cicero is not used without the addition of *terræ* or *terrarum*.—*Portum omnium gentium. De Off.* 2, 8, 26: *Regum, populorum, nationum portus erat et refugium senatus.* Ovid, *Heroid.* 1, 110: *Tu citius venias, portus et ara tuis.* Id. *Pont.* 2, 8, 68: *Vos eritis nostræ portus et ara fugæ. Aram* sic usurpavit etiam *Trist.* 4, 5, 2.

21. Funestari, cadavere illato. For a place was considered to be polluted by a dead body.—*A multitudine.* The mob generally act under the excitement of the moment; but Sex. Clodius acted by premeditation, which was worse.

23. Ustor. *Ustor* opponitur—*signifero*, ut munus muneri, munusque funebre, humile ac sordidum militari muneri splendido et lauto. Argumentatur igitur a minori ad majus: si *ustor* tantum potuit, quantum *signifer* ausus esset?

25. Everterat. Ch. 5, 13, and 32, 86 fin. 87.—*Et sunt.* Particulæ *et*, *hic* sæpius cum quadam indignatione proferuntur. See note on p. 58, line 21; p. 57, line 26; and p. 99, line 25.

26. De via Appia querantur. Ch. 7, 18. Cicero thought the burning of the senate-house a sufficient set-off against the Appian way and ancestral monuments of Clodius.

27. Ab eo. From or against him.

28. Excitate. Ch. 29, 79.—*Ipsum.* Klotz: *eum ipsum.* In the next line for *a mortuis* many read *ab inferis.*

30. Furias pro furore nominat, tanquam dæmonas maleficos ἀλάστορας.—*Insepulti?* See ch. 13, 33; 32, 86. He uses *insepultus* instead of *mortuus*, in reference to the popular superstition that the souls of the unburied could find no reposo, but wandered over the earth troubling the living.—*Nisi vero.* Ironical.

31. Falcibus. Non *falces* hæ messoriæ fuerunt, sed quæ in armis numerabantur, quum militaribus, tum etiam gladiatoriis. Ernesti supposes the object was to break into the temple of Castor, to secure arms which had been deposited there. *Pison.* 5, 11; 10, 23: *Sest.* 15: *p. domo* 21. Garatoni thinks it more probable the motive was

Page 132 money, which Grævius, *ad Quinct.* 4, shows was customarily deposited there.—*Ad Castoris.* Z. 762.

32. Volitarunt. Ranged through. It expresses a sort of license and impunity in outrage. See note on p. 20, line 29.

33. Disturbari. Driven here and there, dispersed.

34. M. Cœlius. When the fate of Clodius was known at Rome, the tribune Cœlius, a friend of Milo, collected his adherents, and began to explain the outrages that led to Clodius's death. He was interrupted by the tribunes Plancus and Q. Pompey, who, with an armed mob, dispersed the meeting, and slew numbers. Cœlius and Milo escaped in the dress of slaves.

35. Firmissimus, &c. He even opposed the arrangement of Cn. Pompey regarding this trial; till Pompey threatened to put down his opposition by force. Compare *Brut.* 79, 273.

37. Fortuna singulari. Why may not *singulari* be joined with *fide?* Z. 783.

CH. XXXIV.—**38. De causa;** wherein he proved Clodius the aggressor: ch. 12.—*Extra causam;* wherein he proved that Milo's act was praiseworthy, even supposing it intentional, ch. 27. The *verbum dicendi* is to be supplied, which is often omitted. The *epilogus* or peroration now follows. Quinctil. 4, 1, 28: *In ingressu parcius et modestius prætentanda sit judicis misericordia, in epilogo vero liceat totos effundere affectus, et fictam orationem induere personis, et defunctos excitare,* &c. Cicero's skill in conclusions is pre-eminent: he was acknowledged by his contemporaries to be a master in them, and when several orators appeared in one case, the closing argument was readily yielded to him, even by Hortensius. *Brut.* 51; *Orat.* 37; *Balb.* 7; *Sest.* 2; *Muren.* 23. Laterensis, the accuser of Cn. Plancius, charged him with having proposed a severe law against ambitus, that he might have an opportunity to deliver touching perorations. *Planc.* 34, 83. Schol. Bob. *ad orat. pro Flacco,* 41 (p. 246, Orell.): secutus videlicet suam consuetudinem et artis oratoriæ disciplinam, ut lacrimosis affectibus prope sententiam judices impleantur. Cicero is called by Quinctil. 11, 1, 85, *summus tractandorum animorum artifex,* and the closing chapters of this oration give a complete illustration of his skill and power.

40. Misericordiam .... quam ipse non implorat. Milo rejected with disdain the usual means of awakening the compassion of the judges; the tears, the suppliant gesture, and mourning garb. This, besides the defence, Cicero must alone undertake. Quinctil. 6, 5, 10, praises the orator, *quod* Miloni *preces non dederit, et in earum locum ipse successerit.* Cf. Id. 6, 1, 24, and 11, 1, 40. Plut. *Cic.* 35, says: Milo with his unmoved resignation, which Cicero here represents as magnanimity, formed a marked contrast to the alarmed and panic-stricken Cicero.

42. Nolite .... parcere. Z. 586.—*In nostro omnium.* See note on p. 11, line 30.

1. Hoc minus. Z. 487.—*Haud scio, an.* Z. 354 and 721. Klotz: *multo sit etiam,* &c.

2. Etenim si in gladiatoriis pugnis. Senec. *de tranq. vitæ,* 11: *Gladiatores, ait Cicero, invisos habemus, si omni modo vitam impetrare cupiunt; favemus, si contemtum ejus præ se ferunt. Tusc.* 2, 17, 41: *Quis mediocris gladiator ingemuit? quis vultum mutavit unquam? quis non modo stetit, verum etiam decubuit turpiter? quis quum decubuisset ferrum recipere jussus, vultum contraxit?* The gladiators were men of the lowest class, (infimi generis homines,) many of them the very dregs of society: their combats were viewed in the light of bull-fights, or other combats of beasts. Ch. 2, the gladiators of Milo are called *servi.* Subsequently, the nobles of Rome did not disdain to become gladiators, and exhibit on the stage. Juvenal, 8, 200.

3. Conditione. Explained by *fortuna,* rank, situation. *Balb.* 10: *Servos quorum jus et fortunæ conditio infima est.* Klotz omits the *in* before *infimi.*

5. Odisse, i. e. to demand their death from the magistrates. This was done by a well-known signal.

6. Servare, sc. pollices premendo.—*Eorumque nos .... miseret.* Z. 441.

12. Sint incolumes .... florentes .... beati. Notice the gradation in which one word succeeds the other, while the preceding is explained by the one which follows.

13. Mihique patria carissima. So § 94, and ch. 37, 102. Milo, though born in Lanuvium, calls Rome his country. Cf. 1 *in Cat.* 11, 27: *de Legg.* 2, 2, 5.

14. Tranquilla. Clodius, the prime mover of every disturbance, being removed.

15. Per me. Klotz: *propter me.*

16. Cedam atque abibo. On *cedere,* see note on p. 117, line 27. Milo did not go into exile till all was lost; he had no such resignation as Cicero here gives him credit for.—*Si .... licuerit.* Z. 510.

17. Quam primam. Klotz and Schultz: *quam primum.*

18. Moratam. (From *mos*) possessed of good institutions and morals; where the turbulence of a Clodius is unknown. The following apostrophe, *O frustra,* &c., is noticed by Quinctilian, 6, 1, 27, as an instance of the propriety of putting suitable exclamations in the mouths of the accused, even when prayers are not allowed.

19. Mei suscepti labores. Klotz: *mihi suscepti labores! o spes fallaces et cogitationes,* &c.

20. Ego, quum .... me senatui dedissem .... putarem. Non *putassem;* nam *putabat* sibi bonorum præsidium non defuturum,

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133 et sibi futurum in patria locum. *Dare se alicui* = ad aliquem se applicare, ei gratum esse laborare omni obsequii officiique genere. Sic etiam *tradere se alicui*. *Sest.* 62, 130. Garat. proposed *dedidissem*. See ch. 2, 4, and 33, 91.—*Re publica oppressa*. By Clodius and his party, for Milo was tribune A. U. C. 697, the year after Clodius's tribunate. See Introduction, p. 375.

22. Equitibus Romanis. See note on p. 127, line 28.

28. Equites Romani illi, illi .... tui? Cicero's equestrian extraction is not so much alluded to here, as the friendship of the knights, which he had gained, as well by his general attention to their interests as his exertions in effecting the celebrated junction between them and the senate. Plin. *N. H.* 33, 2, 8: *Marcus Cicero ... stabilivit equestre nomen in consulatu suo, Catilinariis rebus, ex eo se ordine profectum esse celebrans, ejusque vires peculiari popularitate quærens. Ab illo tempore plane hoc tertium corpus in re publica factum est cœpitque adjici senatui populoque Romano et equester ordo.* Cic. *Phil.* 6, 5, 13: *Quem unquam iste ordo* (*equitibus Romanis* precedes) *patronum adoptavit? Si quemquam, debuit me.*—*Studia municipiorum*. So ardent in the cause of your recall from exile. See ch. 15, and *Pison.* 15.

29. Italiæ voces. Ch. 15, 39. The acclamations and congratulations with which he was accompanied on his route through Italy to Rome.

CH. XXXV.—**32. Nec vero hæc.** Wishing to praise the kindness of "the good" to Milo, Cicero here begins by representing the firmness and resignation which he exhibited as resulting from their feelings towards him.—*Flens*. See ch. 34, 92, and 38, 105.

33. Quo videtis, sc. eum loqui.

34. Negat, ingratis civibus, &c. Dicit, sc. Milo, cives suos non haberi a se ingratos erga se, sed tantum nimis timidos nimisque cautos.

36. Quæ .... imminebat. The sentiment of Cicero, else we should expect *immineret*.

37. Eam .... se fecisse commemorat ut .... flecteret. The pronoun *eam* recalls with emphasis the noun to which it refers. *Plebem ... se fecisse ... ut ... flecteret.* See note on p. 56, line 15. Cf. § 63: *illud ... fecisset, ut*, &c. On the periphrasis of *facere ut*, see Z. 619. The sentence may be construed: *Commemorat se fecisse, ut n. m. v. flecteret, sed etiam, quo t. e. v. v., deleniret multitudinem eam*, &c.

38. Tribus suis patrimoniis, sc. those of his father, Papius; of his maternal grandfather, C. Annius, by whom he had been adopted; and of his mother. Cicero complains of Milo's extravagance, *ad Q. frat.* 3, 9. He involved himself greatly in debt, besides wasting his patrimonies, which he squandered in exhibiting gladiatorial and theatrical shows to the people, and distributing money among them.

42. Vestrorum ordinum. See note on p. 108, line 11. *Vestras* dixit de ipsis judicibus, eorumque diversos ordines universos adjecit. 133

43. Occursationes. *Occursatio* imports running to meet one out of respect; respectful greetings.

44. Secum se ablaturum, sc. in memory: memoria conservaturum ubicumque vixerit. Klotz: *secum ablaturum,* without *se.*—*Meminit .... defuisse.* Z. 589. 134

1. Vocem sibi præconis. By whom the person was declared duly elected. The elections had been repeatedly broken up by the disturbances of the Clodians.

3. Declaratum. Ch. 9, 25. Cicero represents, that Milo had already been chosen by the single centuries before the interruption of the election, only the præco had not declared the combined result, owing to the disturbances. The præco announced the single suffragia and at the close of the voting proclaimed the result of the choice.—*Si hæc.* Klotz: *si hæc arma contra,* &c. By *hæc* Orelli understands omnia in rem publicam merita, quæ supra enumeraverat.

4. Suspicionem. See ch. 25, 67, and 27, 72. Vell. Pat. 2, 47: *Milonem reum non magis invidia facti, quam Pompeii damnavit voluntas.*

5. Addit hæc. Compare Cicero's remarks on fame and honor, *ad Fam.* 15, 4, 13; *p. Arch.* 11.

6. Fortes et sapientes viros. Cf. *de Off.* 1, 19, 65. Senec. *de Cenef.* 1, 1.

7. Ipsa recte facta. See note on p. 36, line 31.

8. Si quidem nihil sit præstabilius. Klotz omits *sit,* making *si quidem* as *si quando, si forte* (see § 104), *si adeo,* take the place of an entire clause.

10. Honori fuerit a suis civibus. Z. 305.—*Nec tamen eos miseros,* in reference to the preceding *beatos esse, quibus.*

11. Sed tamen, &c. This stands in reference to the clause *fortes et sapientes,* &c.

13. Præmium is thrice repeated with emphasis.

14. Consolaretur. Quum hæc omnia a verbis: *Addit hæc,* § 96: pendeant, dici oportebat *consoletur,* ut mox *efficiat, ut absentes adsimus, mortui vivamus.* Sed non raro Cicero in oratione obliqua a præsentibus ad imperfecta vel contra, transit, quum res commemorat, non uni alicui tempori adstrictas, sed et præsenti et præterito communes. *Orat.* 57, 191; *de fin.* 3, 21, 71; *Cat. maj.* 21, 78.

16. Cujus gradibus. Cf. *Parad.* 1, 2, 11; *p. dom.* 28; *Deiot.* 9, 27.

19. Quum ..... subjiciantur. That *quum* here has the signification of time, is plain from the preceding words *hoc tempore ipso;* yet the following *tamen* shows that *quum* has also a causal or re-

Page 134 strictive force, like *quamvis*. The subjunctive is therefore correct. Z. 579.

20. Faces invidiæ. De *facibus, incendio, flamma invidiæ* Garaton. laudat Catil. 1, 11, extr. supra 27, 75. *pro Cluent.* 29, 79. —*Meæ*. Z. 424.

21. Gratiis agendis. See note on p. 12, line 11.—*Gratulationibus habendis. Gratulationes habere* = to present congratulatory addresses to one on account of distinguished success.

23. Actos, the already celebrated; *institutos,* appointed and yet to be celebrated. The Etruscans regarded Milo as their benefactor, by whose exertions they had been relieved of their oppressor. See 9, 26; 21, 55; 27, 74. It was usual for a people to institute *feasts* in honor of a benefactor. So the Syracusans instituted the *Marcellea* in honor of M. Claudius Marcellus; and the Asiatics the *Mucia,* in honor of Q. Mucius.—*Centesima . . . et . . . altera.* The hundred and second. Z. 118. Some contend that *alter* should be translated *first,* as adding only one to *centesima.* The date of the rencontre as given by Cicero, ch. 10, was a. d. XIII. Kal. Feb., or January 18th A. U. C. 702. See note on p. 114, line 15.

There were remaining in January, the 18th included,	12 days.
February had	28 "
Mercedonius	22 "
March	31 "
	93 days.

To make up 102 days, we must add 9 from April, which would make the day of the trial the 9th of April, or a. d. V. Id. April. There is a discrepancy in the dates given by Asconius, who at one time gives a. d. III. Id. April. at another VI. Id. April. Yet according to him, Milo first appeared before the tribunal of Domitius pridie Non. April. (April 4th.) Three days were occupied in the taking of testimony. On the fourth day (quarta die) all were set down for the following day, (in diem posterum,) and on the next day (rursus postera die) the accusation and defence were heard, and the sentence followed. See Ascon. ed. Orell. p. 40, and Brewer, Cicero's Rede für den Milo, p. XXX., whose reckoning is given above.

CH. XXXVI.—**29. Hæc tu,** sc. the preceding from *Valeant,* § 93. —*His,* sc. judicibus.

30. Hæc ego, sc. the following from *Te quidem.*

31. Quum isto animo es. *P. C.* 488 (*d*) (2). Some read *quod.*

33. Nec vero, si mihi eriperis. Cicero complains that he has not even the poor consolation left of feeling angry at those who inflict the wound. Therefore they ought not to inflict it; but pardon Milo. —*Tamen,* sc. etsi mihi eripieris.

34. Ut his irasci possim, ponitur, ut post *reliquum est.* Z. 621.

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38. Inuretis. A metaphor borrowed from branding animals with marks by which they might be known. Here a forcible expression for "inflict."—*Etsi quis*, &c. Though what (other) pain could be so great as this (sc. depriving me of Milo); but not even this will you inflict on me to the degree that I shall forget, &c. Before *ut obliviscar* supply *tantum inuretis*, i. e. ne hic quidem ipse dolor tantus erit, &c.

39. Quæ si vos cepit oblivio. For cujus rei (sc. *quanti me semper feceritis*) si vos cepit oblivio. See note on p. 91, line 32.

40. Si in me aliquid offendistis. *Offendere in aliquo* est animadvertere aliquid, quod molestiam faciat, itaque moleste aliquid ferre in aliquo. This comes from the proper signification of *offendere* which is impingere in re, quasi incurrere in aliquid, quod displiceat.—*Cur non*, &c. Why is not that offence atoned for by my life rather than by Milo's.

42. Si quid .... acciderit. See note on p. 39, line 8.

44. Nullum a me amoris .... officium defuit. Cf. *ad Fam.* 2, 6, 3: *Ego omnia mea studia, omnem operam, curam, industriam, cogitationem, mentem denique omnem in Milonis consulatu fixi et locavi statuique in eo me non officii solum fructum, sed etiam pietatis laudem debere quærere*, &c. This is confirmed by the following just tribute of praise, which Asconius, who lived not long after this period, and was accurately acquainted with its history, pays to Cicero, in his argument to this oration. After speaking of the attempt to excite odium against Cicero for his zeal in the defence of Milo, and of the threats made use of to compel him to desist, Asconius adds: Tanta tamen constantia ac fides fuit Ciceronis, ut non populi a se alienatione, non Cn. Pompeii suspicionibus, non periculi futuri metu, si dies ad populum diceretur, non armis, quæ palam in Milonem sumpta erant, deterreri potuerit a defensione ejus, quum posset omne periculum suum et offensionem inimicæ multitudinis declinare, redimere autem Cn. Pompeii animum, si paulum ex studio defensionis remisisset.

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1. Potentium. Pompey and others.

3. Bona, fortunas. See note on p. 28, line 2.

4. In communionem tuorum temporum contuli, i. e. tecum communicavi, quum tempora tua (i. e. pericula, vid. ad. Manil. 1.) id poscerent, sive tecum partitus sum.

6. Dimicatio capitis. Si Clodiani, quum te absolutum senserint, vim inferre conantur. *Diminutio* is here out of place.

7. Quid habeo, quod. Klotz: *quid habeo? quid faciam*, &c. The common text is, *Quid habeo, quod dicam, quod faciam*, &c.

9. Non abnuo, non recuso. Klotz: *Non recuso, non abnuo.*

10. In hujus salute, i. e. dum hujus salutem tuemini: *in ejusdem exitio*, i. e. dum ei exitium affertis, pro quo e nostra consuetudine

Page 135 planius esset, ut aut hujus salute conservanda, a ut ejusdem exitio decernendo.

11. Videatis, h. e. intelligatis, vobisque persuadeatis.

Ch. XXXVII.—**12. His lacrimis.** See note on p. 136, line 13. —*Est .... animi.* Klotz and Süpfle take these words as a parenthesis, erasing the period after *Milo,* and continuing *sed exsilium,* &c.

13. Exsilium ibi esse putat, ideoque patriam esse, ubicunque virtuti locus sit.

14. Mortem naturæ finem esse. Cf. 4 *in Cat.* 4, 7, and note on p. 40, line 30. *Naturæ,* i. e. existentiæ, quam vulgo vocant, sive vivendi.

15. Sed hic. The reading is here various. Madvig has given that of *Codd. Erf.* and *Bavar.*, with a little difference of punctuation. He remarks: Verbum ad superiorem partem assumitur ex altera et contraria parte sententiæ, similiter conformata (*eritis*). Nec hærere debemus, quod ex futuro præsens sumitur, similiter atque *de Legg.* 1, 5, 17: *quæ* (res) *quondam a multis claris viris* (sustinebatur), *nunc ab uno summa auctoritate et scientia sustinetur.* Other readings are *Sed hic ea mente natus est* and *ornatus est.* Klotz: *Sit hic ea mente, qua natus est. Quid,* &c.

16. Memoriam Milonis. Compare ch. 38, 104, *animi monumenta.*

18. Qui procreavit. See note on p. 133, line 13. Milo was born in Lanuvium. Exile extended tō all Italy.

21. Centuriones, vosque, milites. See ch. 1. The guards were in hearing of Cicero.

23. Expelletur, exterminabitur, projicietur? Demosth. in Aristog. ἐξορίσαι, ῥῖψαι ἐκ τῆς πόλεως, ἀνελεῖν. Sed gravius Cicero *projicietur,* tanquam res contemta. Est autem hic congregatio verborum idem fere significantium, de qua Quinctil. 9, 3, 45, quæ h. l. indicat animum, quod verbum rei accommodatissimum et gravissimum sit, in affectu ambigentem. Est autem interrogatio detestantis. Compare note on p. 19, line 5.

24. O me miserum. Cf. Quinctil. 6, 1, 24.

26. Retinere. Which should be easier than *revocare.*

27. Liberis meis. Marcus and Tullia.—*Parentem alterum.* As being the restorer of their first.

28. Qui nunc abes. Schol. Bob.: Opportunissime fortunam Milonis per totam domum suam familiamque communicat, ut congregata per multos miseratio magis commoveat affectus. Frater autem Ciceronis Q. Tullius legatione tunc in Gallia apud exercitum Cæsaris fungebatur.—*Consorti. Consortes fratres* are properly those who have not yet divided a common inheritance; who live in community of property. Festus: Sors et patrimonium significat, unde consortes dicimus. Cic. *Verr.* 3, 23, 57: *tres fratres consortes.* Figuratively *consors* =

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socius. Brut. 1, 2: *Socium potius et consortem gloriosi laboris amiseram.*

29. Mene non potuisse. Z. 609.

31. Quæ est grata * *. *Cod. Erf.* has *gentibus non potuisse his qui,* &c. The editions do not generally indicate any marks of various readings in this passage, which is commonly given *quæ est grata gentibus. A quibus non potuisse? Ab iis,* &c. Madvig supposes the text to be corrupt, and that a dative after *grata* has dropped out. After which he suggests [*Quibus judica*]*ntibus non potuisse?* Osenbrüggen thinks this would be tautological with *tueri per eosdem, per quos,* &c., and proposes: *quæ est grata omnibus. Quibus intuentibus non potuisse?* referring to ch. 1, 3, *Reliqua vero multitudo ... decertari putat.*

32. Acquierunt, quasi securi facti, magnam oblectationem acceperunt. Z. 416.

33. Quodnam ego concepi. Cf. *Sest.* 69, 145: *Quod tantum est in me scelus? quid tanto opere deliqui illo, illo die, quum ad vos indicia, litteras, confessiones communis exitii detuli,* &c. The conclusion of the oration for Sestius has many points of similarity to that for Milo.

35. Indagavi. See the 3d oration against Catiline.—*Exstinxi,* non indicia, sed semina sive auctores communis exitii. Ex indiciis res indicatæ sumuntur. See note on p. 38, line 5.

40. Discessus. See note on p. 117, line 27.

41. Distrahar. To express a possible case, which the orator conceives in his imagination.

Ch. XXXVIII.—**42. Utinam dii immortales fecissent.** The sentence is interrupted by the parenthesis, and instead of going on with *ut P. Clodius ... viveret,* as would have been the case without the parenthesis, a new sentence commences with *utinam,* giving the simple proposition *utinam viveret Clodius.* After an interruption, by a parenthesis of considerable length, the form of the sentence is usually changed. On the difference of the tenses with *utinam,* see Krebs, *Guide,* 228; *P. C.* 496; Z. 57.

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1. Prætor. He begins with the first office which Clodius did *not* hold.

3. A vobis .... conservandum. Z. 651. These words refer to Clodius.—*Minime, minime.* We may suppose that Milo motioned a negative on Cicero's wish: *Utinam ... dictator esset.* "Let him," he adds, "meet his deserts, and I care not for personal consequences."

6. Patriæ natus. Framed by nature for the especial purpose of saving his country.—*Usquam nisi. Nisi* because the question implies a negative.—*Si forte,* i. e. si fors ita tulerit, εἰ τύχοι.

7. Pro patria. Some MSS. have *procul patria,* which led to the emendation of Peyron, *aut, si forte procul, pro patria.* Sensus est:

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136 Hic vir in patria debet mori; in nullo alio loco, nisi *si forte pro patria* moritur.—*Animi monumenta,* quæ animi ejus fortitudinem et magnitudinem memoriæ consecrant, sc. his public services recorded in the history of his country; opposed to *corporis sepulcrum.*

8. In Italia. Milo went, as is known, to Marseilles. Upon such voluntary exile, ensued a decree of the people, declaring the exile just, and pronouncing the aquæ et ignis interdictio. This involved the loss of the civitas. An exile could not therefore remain in Italy, because the lex Plautia Papiria A. U. C. 665 had extended the Roman civitas over all Italy. For the same reason the wearing of the toga, the distinctive dress of the Roman citizen, was not allowed. Plin. *Ep.* 4, 11, 3: *Carent enim jure togæ, quibus aqua et igni interdictum est.* In some cases, as in that of Cicero, the distance from Rome to which one was exiled was fixed.—*Sepulcrum.* At the close of the oration for Cluentius, ch. 71, 201, Cicero says: *Nunc vero quid erit profectum, nisi ut hujus ex mediis mortis insidiis vita ad luctum conservata, mors sepulcro patris privata esse videatur.* The importance attached to a burial in one's native land, may be seen exemplified in the prayer of Hector to Achilles, *Il.* 22, 254; of Mezentius, *Æn.* 10, 904; of Turnus, *Æn.* 7, 935, and of Polynices, Eurip. *Phœniss.* 1460.

12. Sed finis sit. For my tears prevent my words, as well as the wish of Milo, to depend solely on the goodness of his cause.

13. Præ lacrimis. Quinctil. 11, 3, 173: *Illa quoque mire facit in peroratione velut deficientis dolore et fatigatione confessio, ut pro ... Milone:* Sed finis ... est possum. *Quæ similem verbis habere debent etiam pronuntiationem.* Cf. ch. 34, 92; 35 init. Other passages, where Cicero speaks of his own tears and those of his clients and the judges, are, *Planc.* 31, and 41, 99; *Sest.* 11, 26; *Cluent.* 69, 197; *Font.* 17, 37; *Mur.* 40, 86; *Rabir. Post.* 17, 48. Cf. Liv. 39, 44; Cæs. *B. G.* 1, 31; Suet. *Cæs.* 33; Tac. *Ann.* 3, 23; Seneca *de Tranq. an.* 15. It is, however, to be observed that *lacrimari* often forms only the antithesis to *lætari,* and therefore = to be moved, affected even to tears. So the substantive *lacrimæ* often stands opposed to *lætitia,* and its proper meaning must not be urged. Tears are in Cicero often a rhetorical artifice: they give to the words the requisite pathos. Upon our minds an orator by such appeals would make perhaps an impression directly opposite to that which Cicero by this means produced upon the minds of the judges and the audience (corona); but among the Greeks and Romans tears were the natural expression of pain and emotion. They felt keenly, and the expressions of their feelings were strong. Etiquette did not require them to suppress the loud outbreak of pain, or silent tears, and custom did not compel them to stifle their bitterest sorrows. In the midst therefore of a circle composed of men of like tone and temper, Cicero could commu-

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nicate his sad feelings to their hearts. Tears and lamentations were usual also before Greek tribunals, and not merely in capital trials.

14. Vos oro. Having wound up the feelings of the judges to the highest pitch, he now affects to call upon them to attend only to the dictates of justice, &c.

15. Sentietis. Klotz: *sentiatis.*—*Audeatis. Schol. Bob.*: Destiturus orator ibi finem posuit, ubi maxime necessarium videbatur, ne judices in pronuntiando Pompeium timerent, quem præsentem verentur. Cf. 2, 4; 8, 21.

16. Is maxime. Pompey, who being the prime mover of the whole proceeding, is here presented, in conclusion, to the minds of the judges, as the friend of justice and of Milo.

17. Optimum .... sapientissimum .... fortissimum. These adjectives correspond to the substantives *virtutem, justitiam, fidem,* but in the inverse order, *optim.* to *fidem, sapientiss.* to *justitiam,* and *fortiss.* to *virtutem.*

18. Delegit. Others *legit* and *elegit.* See note on p. 113, line 21.

THE END.



Incidents attendant on wearing "Long cuts"



"Hold up your skirts"



THE HISTORIES

OF

CAIUS CORNELIUS TACITUS.

WITH NOTES FOR COLLEGES.

BY W. S. TYLER,

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The text of this edition follows, for the most part, Orelli's, Zurich, 1848, which, being based on a new and most faithful recension of the Medicean MS., by his friend Baiter, may justly be considered as marking a new era in the history of the text of Tacitus. In several passages, however, where he has needlessly departed from the MS., I have not hesitated to adhere to it in company with other editors, believing, that not unfrequently "the most corrected copies are the less correct." The various readings have been carefully compared throughout, and, if important, are referred to in the notes.

The editions which have been most consulted, whether in the criticism of the text or in the preparation of the notes, are, besides Orelli's, those of Walther, Halle, 1831; Ruperti, Hanover, 1839; and Döderlein, Halle, 1847. * * * *

It will be seen, that there are not unfrequent references to my edition of the Germania and Agricola. These are not of such a nature, as to render this incomplete without that, or essentially dependent upon it. Still, if both editions are used, it will be found advantageous to read the Germania and Agricola first. The Treatises were written in that order, and in that order they best illustrate the history of the author's mind. The editor has found in his experience as a teacher, that students generally read them in that way with more facility and pleasure, and he has constructed his notes accordingly. It is hoped, that the notes will be found to contain not only the grammatical, but likewise all the geographical, archæological and historical illustrations, that are necessary to render the author intelligible. The editor has at least endeavored to avoid the fault, which Lord Bacon says "is over usual in annotations and commentaries, viz., to blanch the obscure places, and discourse upon the plain." But it has been his constant, not to say his chief aim, to carry students beyond the dry details of grammar and lexicography, and introduce them into a familiar acquaintance and lively sympathy with the author and his times and with that great empire, of whose degeneracy and decline in its beginnings he has bequeathed to us so profound and instructive a history. The Indexes have been prepared with much labor and care, and, it is believed, will add materially to the value of the work.—*Extract from Preface.*

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MIDDLE AGES.

translated from the French of M. DES MICHELS, Rector of the College of Rouen, with Additions and Corrections.

BY G. W. GREENE,
Professor of Modern Languages in Brown University.

Accompanied with Numerous Engravings and Maps. One Volume, 12mo.

TO BE FOLLOWED BY

A Manual of Modern History, down to the French Revolution.
A Manual of Ancient History.
A History of Rome.

*** Great pains will be taken to adapt these books to the practical purposes of the Class Room, and for the guidance of private students.

Trickert.

"Quousque tandem abutere

Catilina"





Facilis mitior, mitius

Difficilis

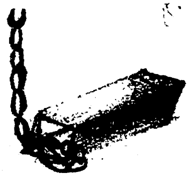
Gracilis

Humilis

Imbecillis

Similis

Dissimilis



Catalina



Exitium

[illegible]

[illegible]

[illegible]

Judicium

Quodam modo

Flagitium

$$\begin{array}{l} a + x \\ a + x \\ \hline a^2 + x^2 \\ \quad ax + \end{array}$$

"[illegible]"

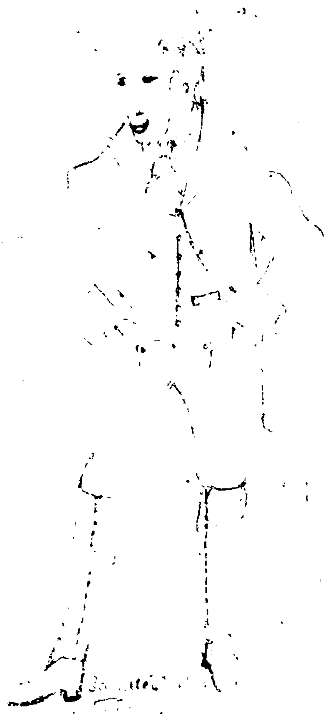
$a^2 + 2ax + x^2$

$a + x$

$$\begin{array}{l} a + 2 + x \\ a + x \\ \hline a^2 + 2a + a \end{array}$$

$$\begin{array}{l} a^2 + 2ax + x^2 \,)\, a + x \\ a^2 \\ \hline + 2ax + x^2 \\ \quad 2ax \\ \hline \qquad + x^2 \end{array}$$

$$\begin{array}{l} a + ax + x \\ a + x \\ \hline a^2 + 2ax + a \\ \quad ax + ax \\ \hline a^2 + 2a^2x^2 + a \end{array}$$



$$\begin{array}{l} a + x \\ a + x \\ \hline a^2 + ax \\ \qquad ax + x^2 \\ \hline a^2 + 2ax + x^2 \end{array}$$

AB = [illegible]

~~$10x^2$~~y

$$a^2+2ax^2+x^2\,)\,a+$$
$$\underline{a^2}$$
$$2ax^2+x^2$$